

Reforming the Rules of the Game: The development of party law in post- transitional Latin America

Fransje Molenaar

Lunch seminar

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Universiteit Leiden
The Netherlands

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Party law in practice



Research question

What explains the development of party law in post-transitional Latin America?

- 1) How does party law currently regulate parties?
- 2) How has regulation developed since the transitional period?
- 3) What explains:
 - a) the current regulation of parties?
 - b) the content of party law reform?



Part 1:
**How does party law currently
regulate political parties?**



How does PL currently regulate?

Areas of party law (Katz 2004):

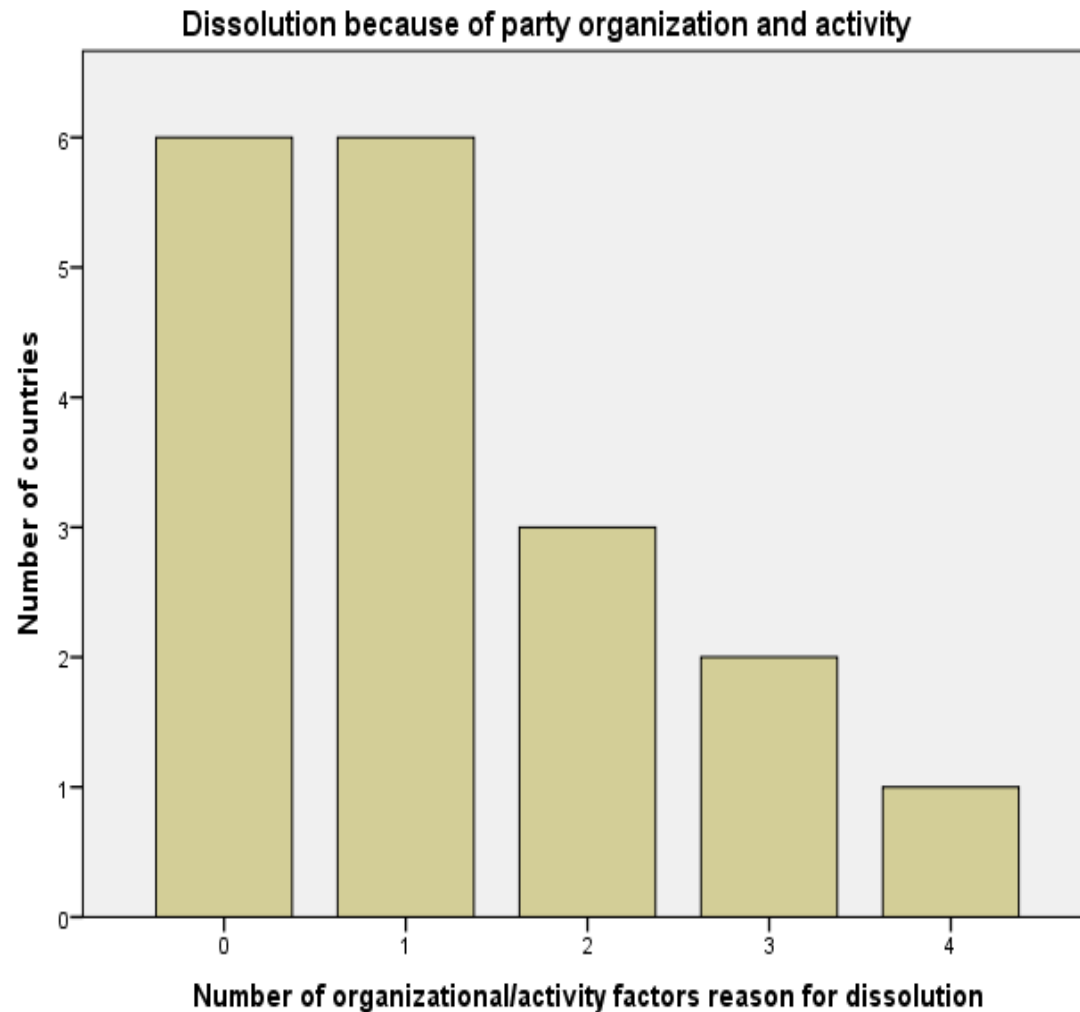
- Definition of party
- Party organization
- Party activity

Analysis:

- Dataset of provisions of party law in force today
- 18 countries
- Dichotomous coding



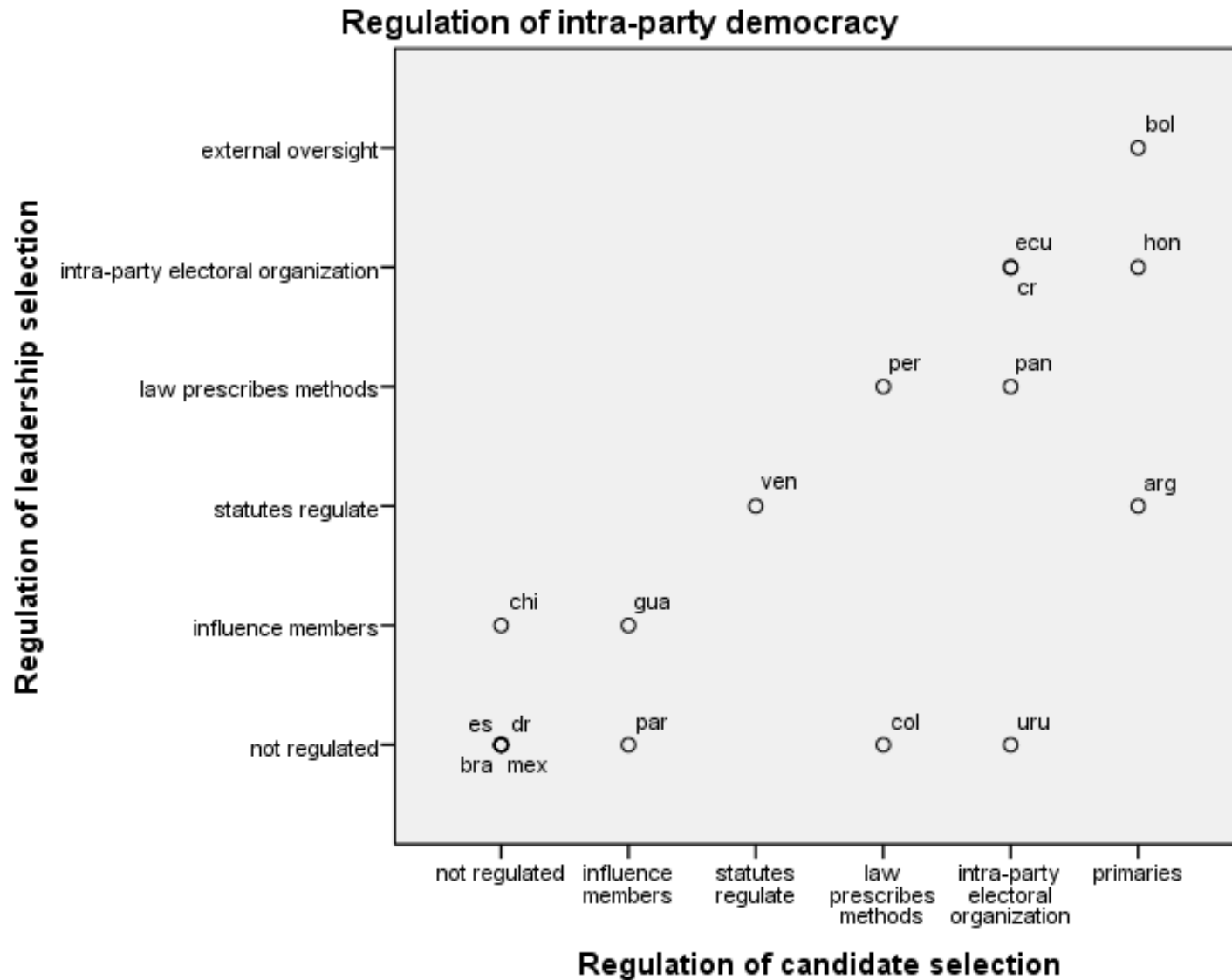
Current regulation – definition of party



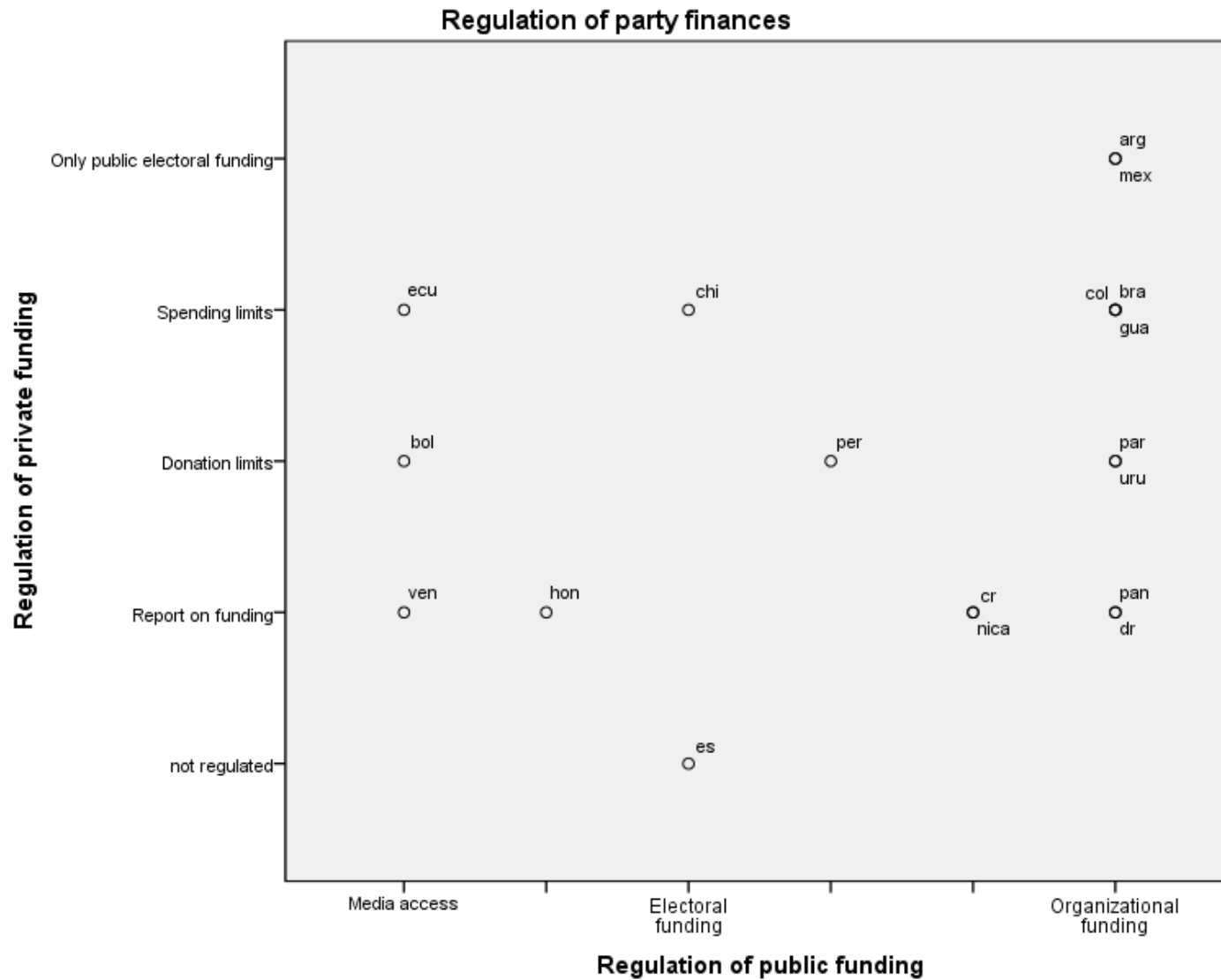
- Violation of regulation of:
- membership
 - regional organization
 - intra-party democracy
 - constitution party organs
 - finance regulation
 - transparency
 - registration requirements
 - obligations party
 - suspension party



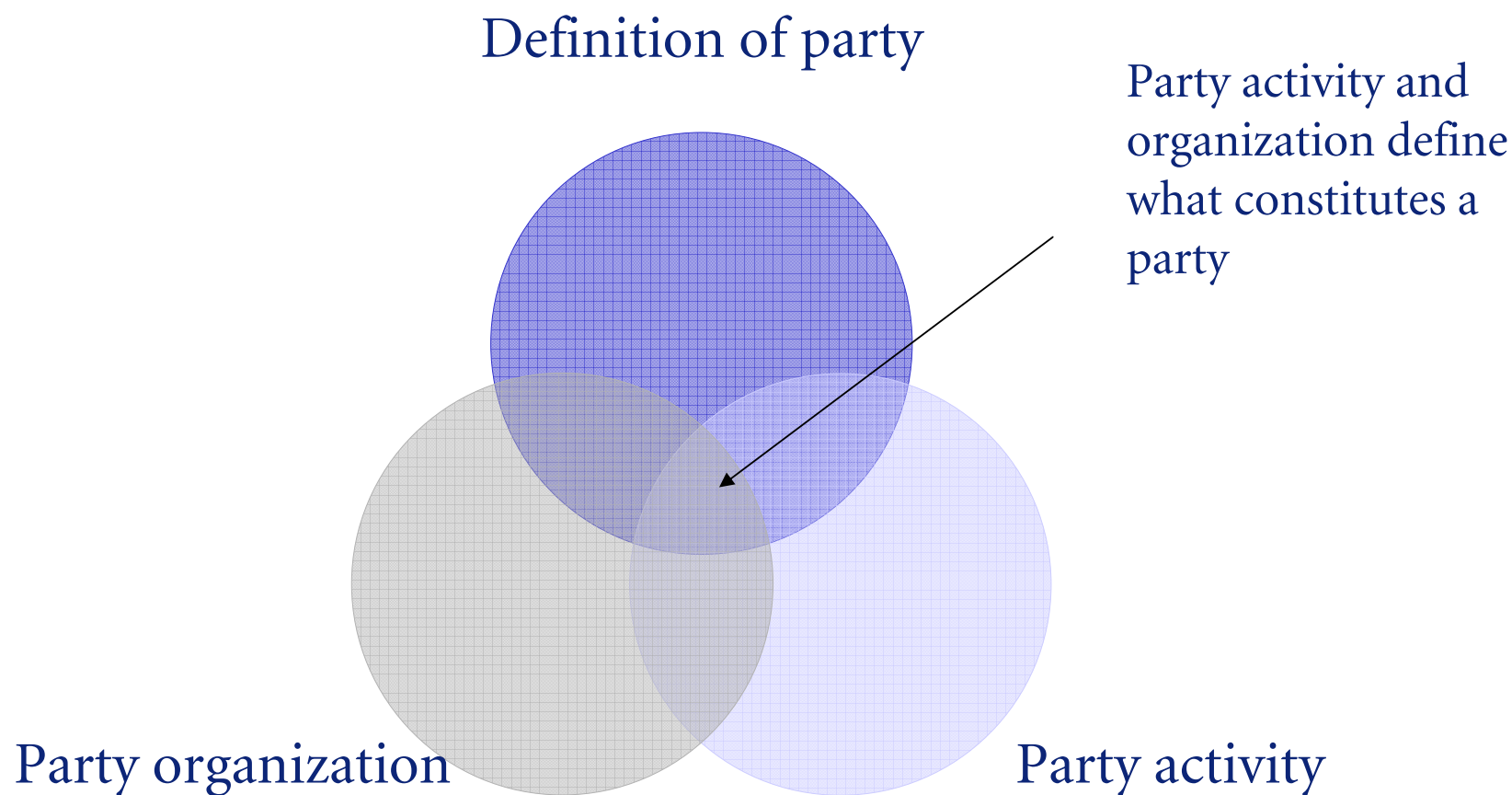
Current regulation – party organization



Current regulation – party activity



How does PL currently regulate?



Next step: test hypotheses on institutional determinants

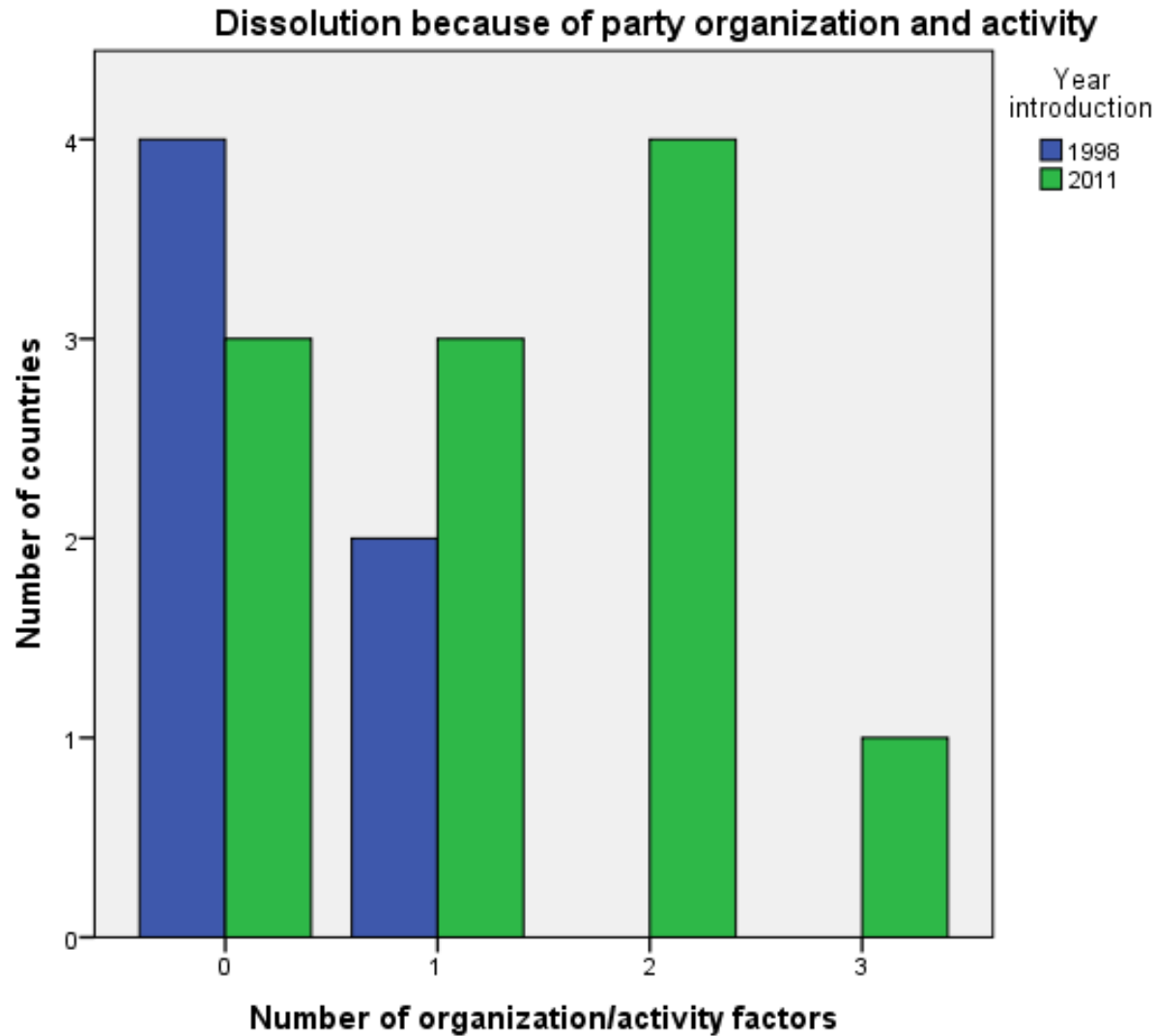
Part 2:
**How has regulation developed
since the transitional period?**



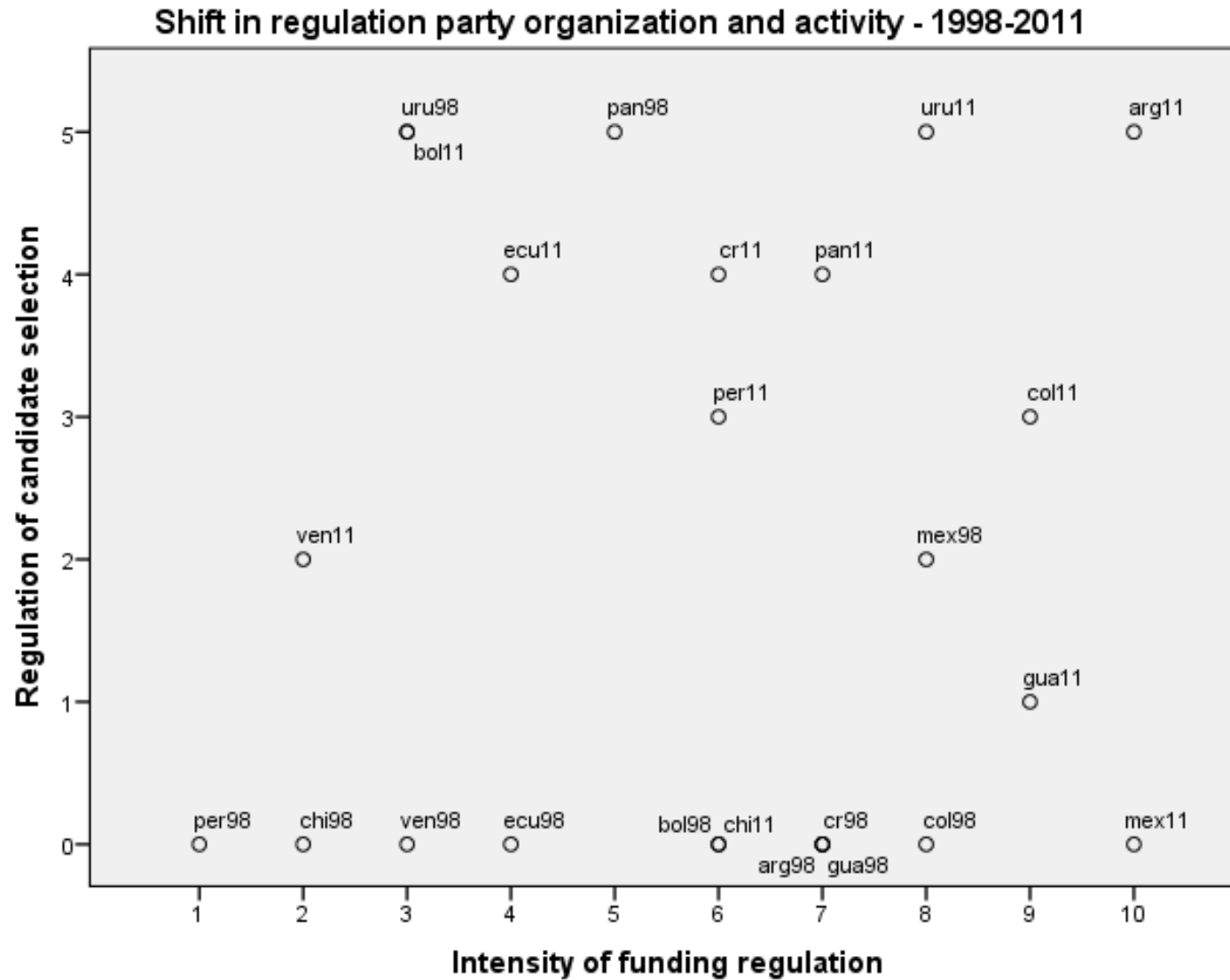
How has regulation developed?

<p>New constitution: Bolivia (2009), Ecuador (2008), Venezuela (1999)</p> <p>Constitutional change: Bolivia (2004); Colombia (2003, 2009), Dominican Republic (2002, 2010), Mexico (2007), Nicaragua (2000), Panama (2004)</p>	<p>Change existing law: Argentina (2002, 2006, 2007, 2009), Bolivia (1999, 2001, 2002, 2005, 2008), Chile (2004, 2005), Colombia (2000), El Salvador (2002, 2010), Guatemala (2004, 2006), Mexico (2003, 2005, 2011), Panama (2002, 2006), Peru (2005), Venezuela (2010)</p>
<p>Replace old party law by new: Bolivia (2010), Colombia (2011), Costa Rica (1996), Ecuador (2000, 2009), Honduras (2004), Mexico (2008), Nicaragua (2000), Peru (2003), Uruguay (1999)</p>	<p>Adoption additional law: Argentina (2002), Brazil (2006), Chile (2003), Colombia (2004, 2005), Peru (2002, 2004), Uruguay (2004, 2009), Venezuela (2009, 2010)</p>

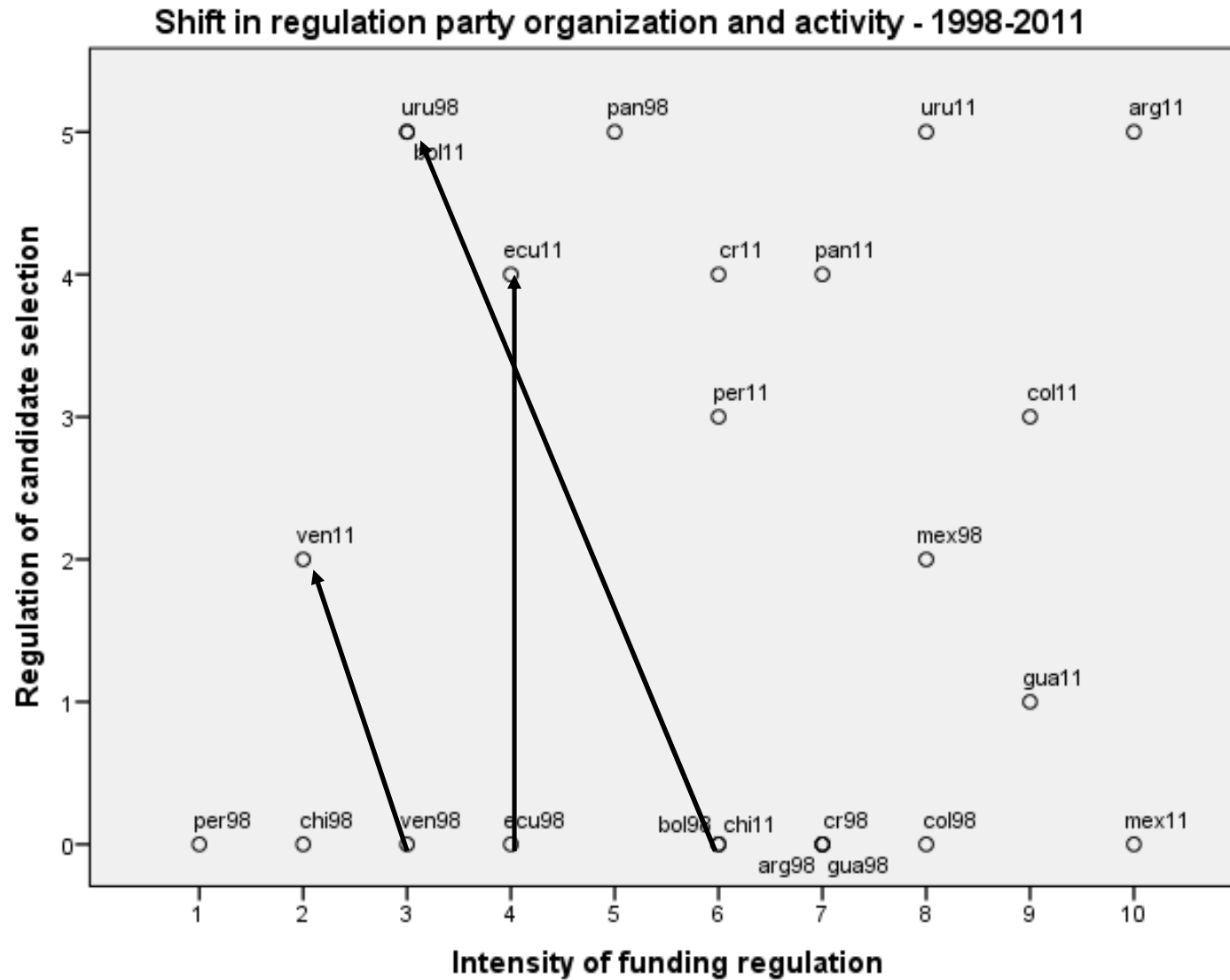
Development regulation – definition of party



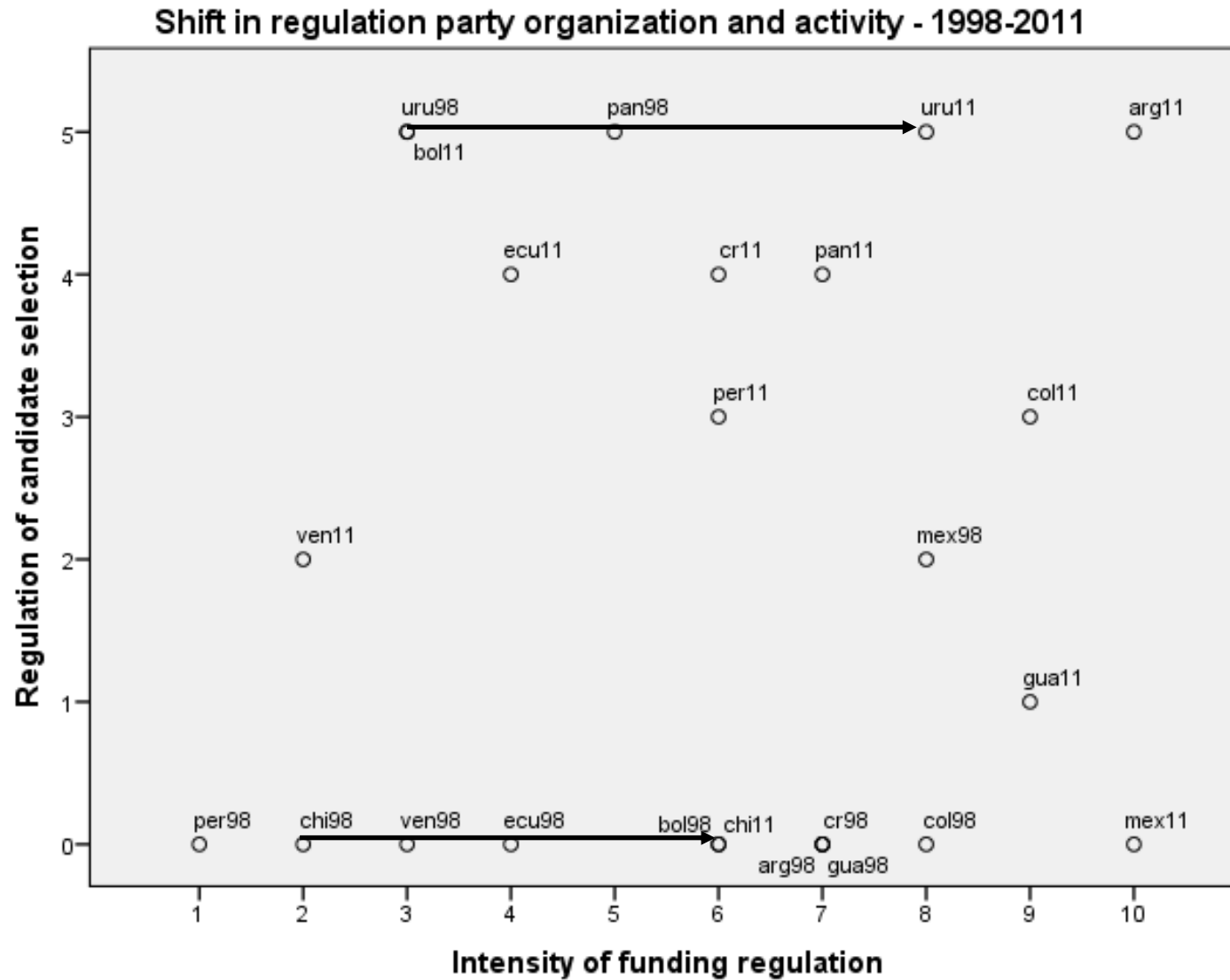
Development regulation – activity/organization



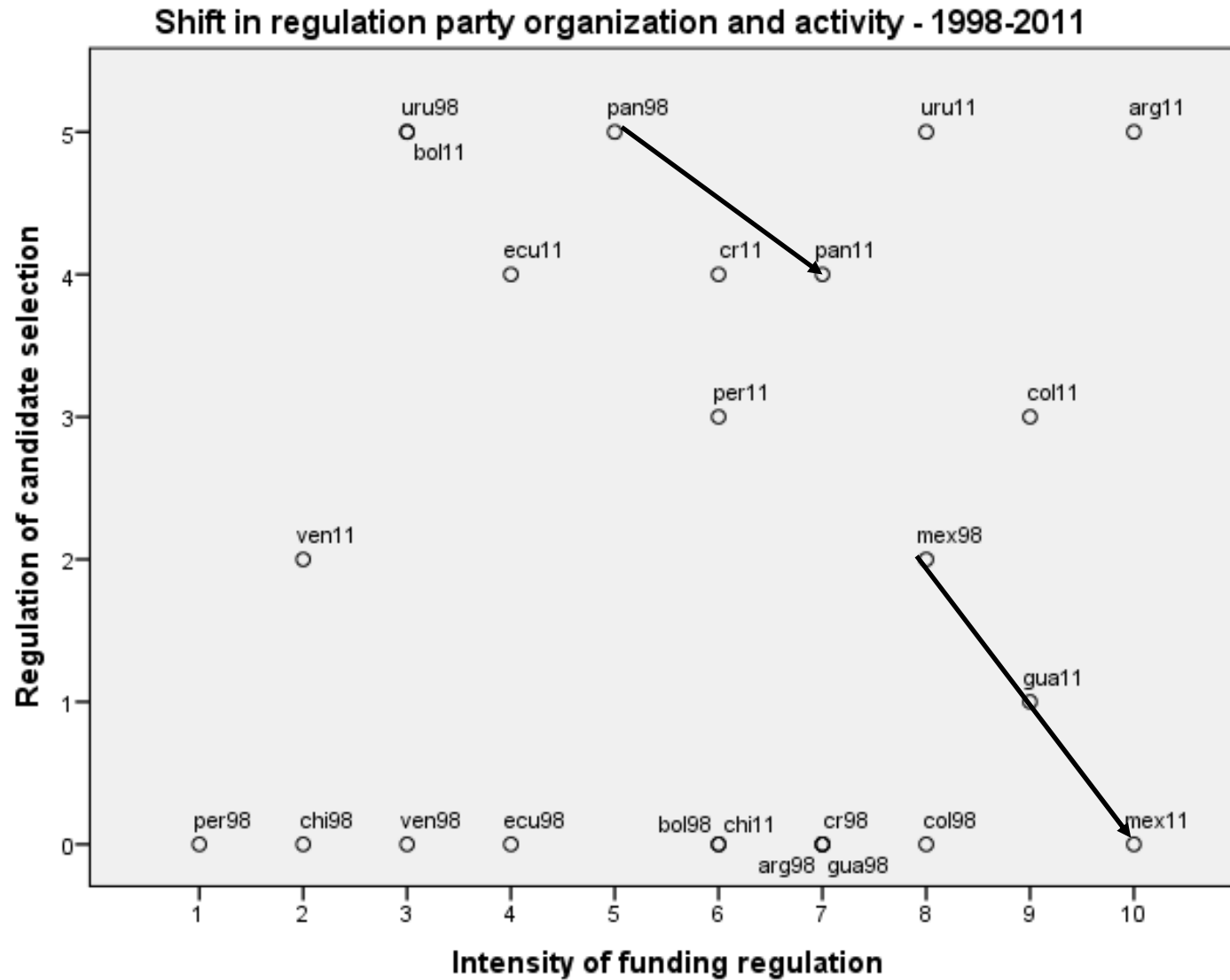
Development regulation – activity/organization



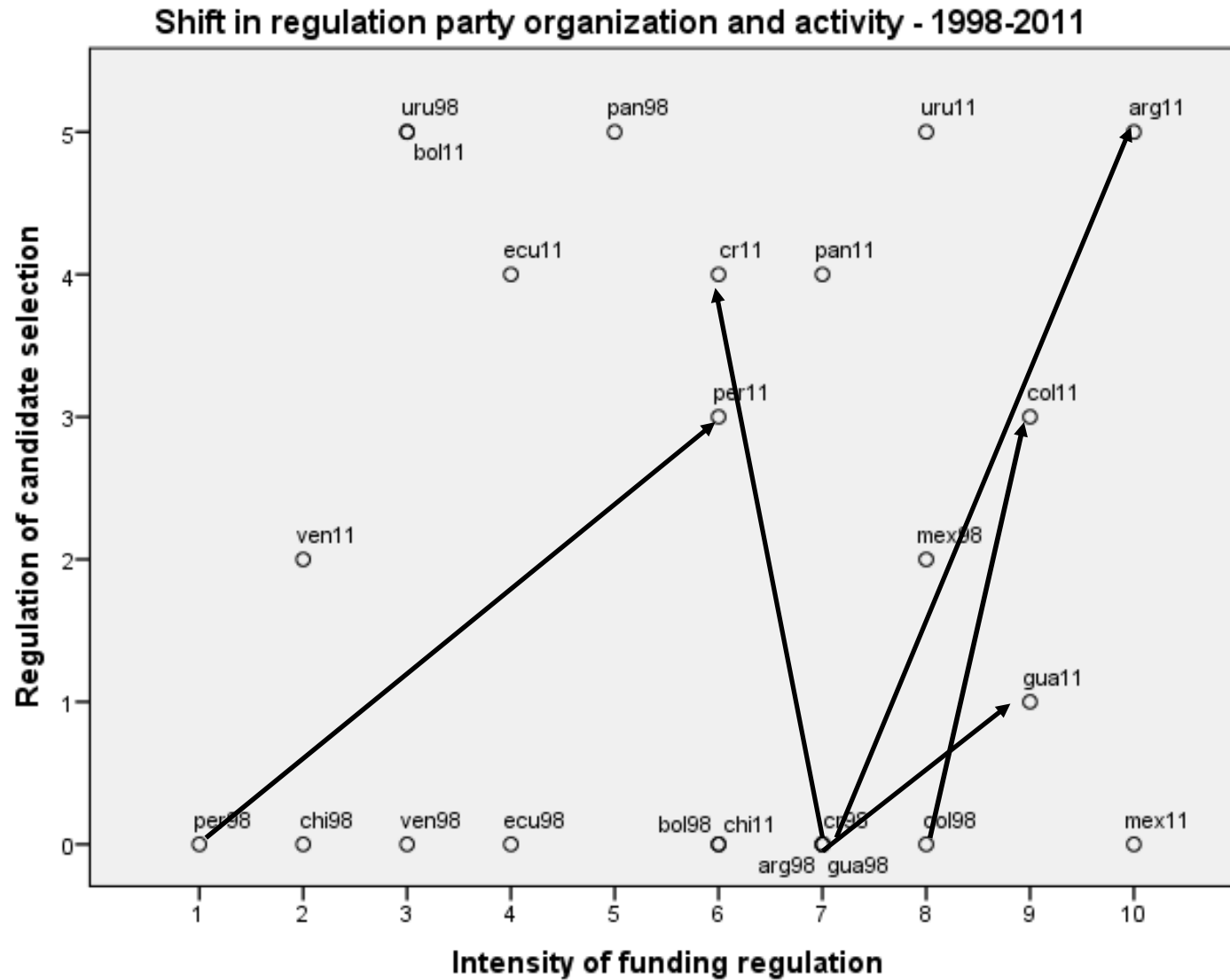
Development regulation – activity/organization



Development regulation – activity/organization



Development regulation – activity/organization



Part 3:
**What explains the content
of party law reform?**



What explains content of reform?

Country selection

- Representation: Bolivia
- Finance: Uruguay
- Finance and less democracy: Panama
- Finance and more democracy: Argentina

Selection criterion: multiple reforms + trend

Unit of analysis: reform process

Comparison: within-country MSSD



What explains content of reform?

Party law reform: rejection old model + adoption new model (Jacobsen, 2010)

Problem is actual parties

No problem

Table 1: Rejection old model



No problem



Regulation of parties



	Political crisis	No political crisis
Stable elite configuration	Parties	No rejection
Elite config. in flux	Parties + regulation of parties	Regulation of parties



What explains content of reform?

Reflects ideal parties

Reflects real parties

Table 2: Adoption new model



Reflects elite proposals



Reflects proposals dominant coalition



	Political crisis	No political crisis
Stable elite configuration	Accommodate demands for change	Continue old model
Elite config. in flux	Accommodate or transform	Continue or transform



What explains content of reform?

Operationalization

Political crisis: public protest, protest voting, shifting political attitudes (trust in parties, democracy)

Stability elite configuration:

- Inter-party: number of parties, party dominance, electoral volatility, party system closure
- Intra-party: access to resources & leadership, relations between party organs

Additional variables:

- Reform coalition: veto players and actors involved
- Influence of existing institutions: ?



Thank you for your attention!

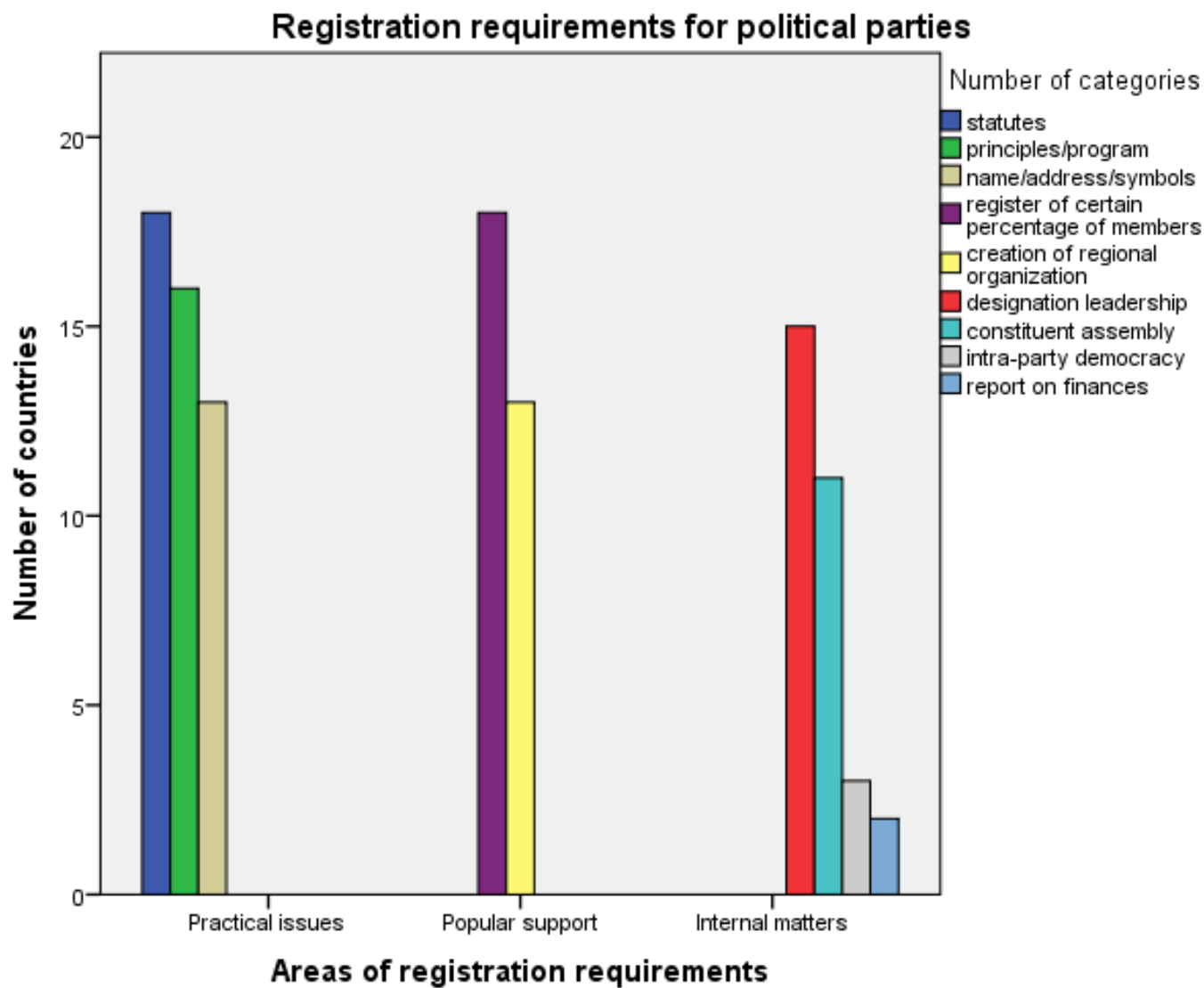
Fransje Molenaar, MA
PhD candidate
Institute of Political Science
Leiden University
molenaarff1@fsw.leidenuniv.nl
+(31) 71 527 1957



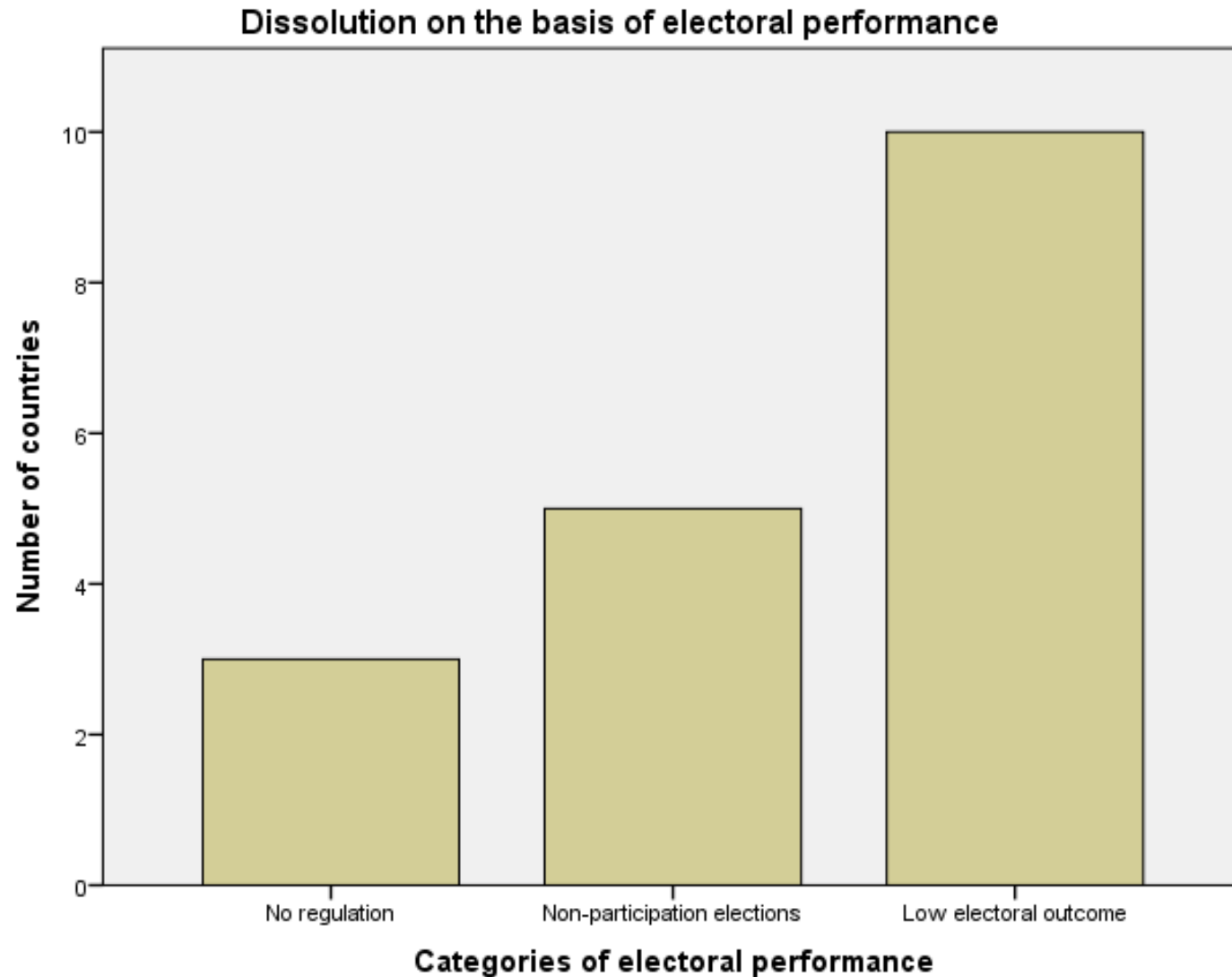
Democratic transition: Constitutional codification

<p>Democracy: Uruguay (1934), Panama (1946), Chile (1970), Colombia (1991), Argentina (1994)</p>	<p>Transition to democracy: Guatemala (1945), Brazil (1946), Costa Rica (1949), Venezuela (1961), Peru (1979), Nicaragua (1979)</p>
<p>Military coup followed by constituent assembly: Ecuador (1945), Honduras, (1957)</p>	<p>Authoritarian regime/Military government: Dominican Republic (1942), El Salvador (1950), Paraguay (1967), Mexico (1977)</p>

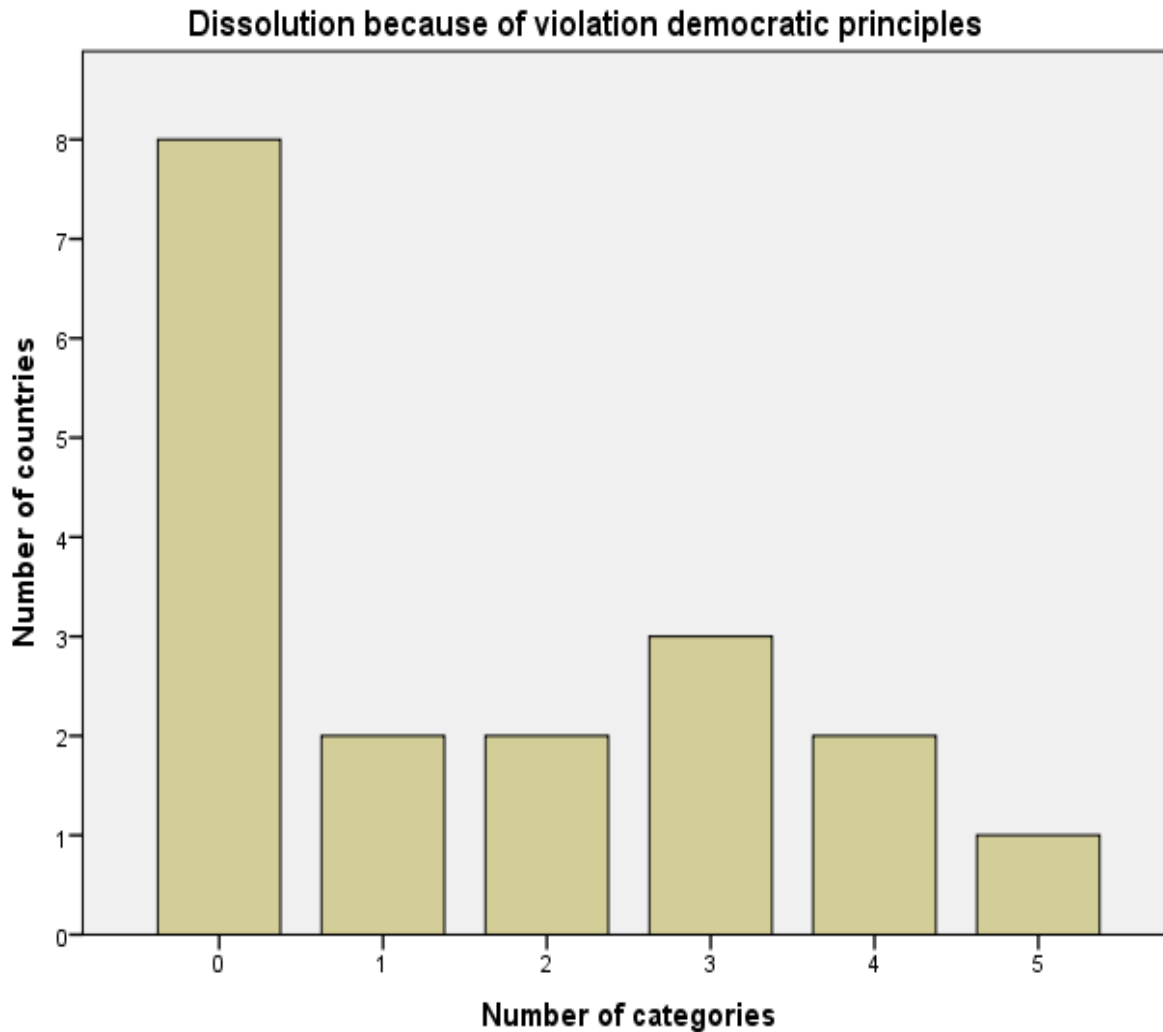
Current shape – definition of party



Current shape – definition of party



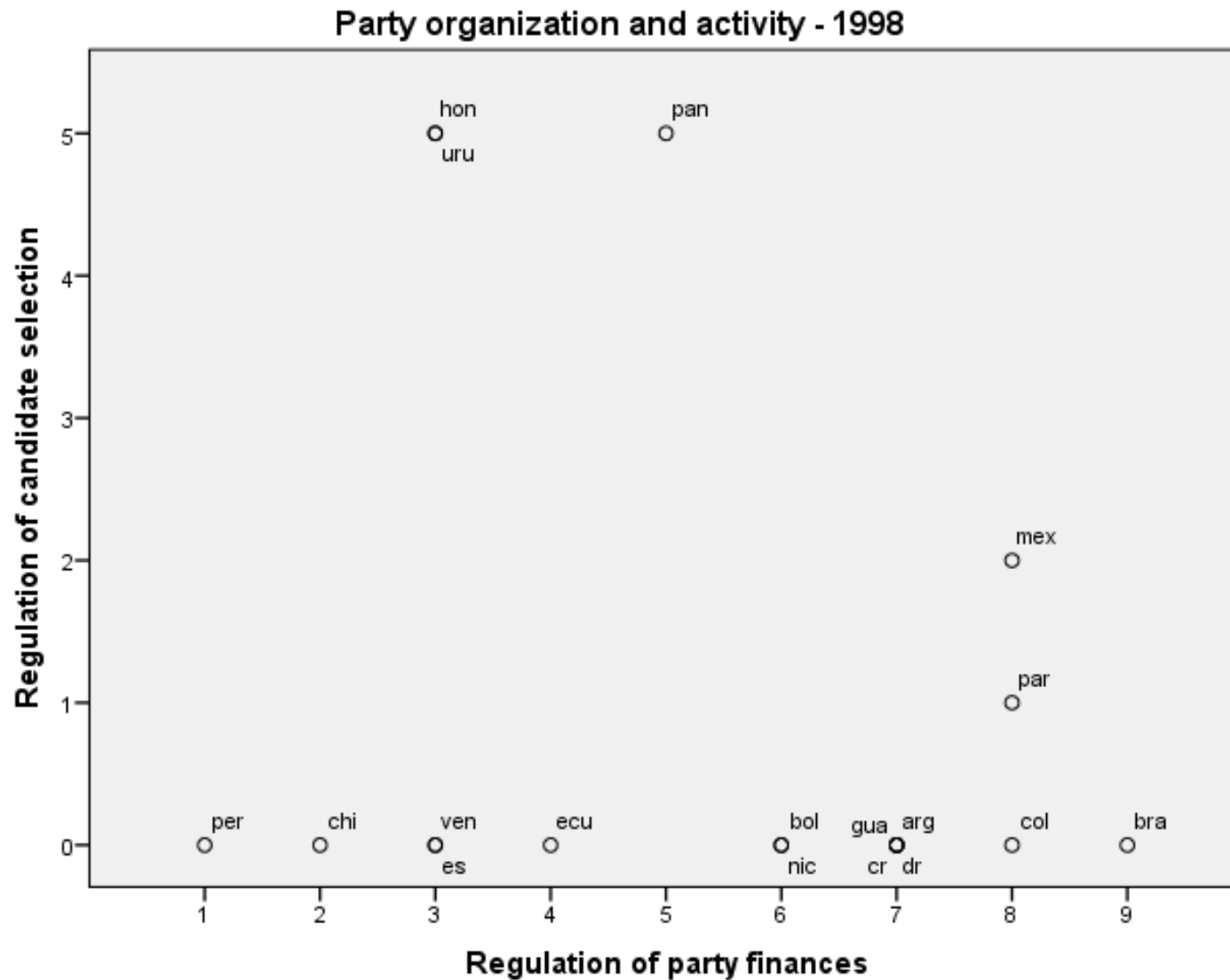
Current shape – definition of party



- Possible categories:
- Anti-democratic
 - Anti-human rights
 - Discrimination
 - Use of violence
 - Foreign subjugation
 - Ethnic/religious party
 - Illegal behaviour



Development PL – activity/organization



Development PL – activity/organization

