



DANISH INSTITUTE FOR
PARTIES AND DEMOCRACY

MMDP KNOWLEDGE BRIEF

MYANMAR MULTIPARTY DEMOCRACY PROGRAMME
QUESTIONS & ANSWERS ON PARTY DEVELOPMENT

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RELATIONSHIP BETWEEN PARTIES AND MPS

INTRODUCTION & BACKGROUND

In multiparty politics the relationship between political parties and their MPs is often a hotly contested one. Ideally MPs and parties should be working in harmony to advance party policy issues. In practice, however, challenges frequently enter the relationship in a number of areas where disagreements may arise.

How are mutually agreeable positions reached on policy issues where MPs differ with their parties? What is the relationship between party leaders and leaders of the party parliamentary caucus? How are MPs integrated into the decision making structures of parties, if at all? Especially in democratizing countries or newly-established democracies, where traditions of how the parties and their MPs relate are not well-established, this relationship needs to be nurtured and strengthened. This brief looks at the key determinants of the relationship and the different dimensions that a relationship between parties and MPs can take. It is intended to inspire political parties on how they can structure fruitful relationships between themselves and the MPs who represent their parties in Parliament.

WHAT FACTORS DETERMINE THE RELATIONSHIP BETWEEN PARTIES AND THEIR MPS?

The relationship between parties and their MPs varies considerably from country to country. The political system and electoral system are the top-level determining factors:

Political system

In Parliamentary Systems, the cohesion of parties is extremely important for the party in government, and parties tend to have considerable control over their MPs. In **Presidential Systems**, the importance of the Executive may mean less party discipline in Parliament, as in the United States. In a **hybrid system**, party discipline varies depending on the type of hybrid system. One common danger of hybrid systems, however, is the potential for the executive to use the promise of ministerial appointments as inducements to maintain party discipline in the Executive's party and also tempt other party members to cross over to the party of the executive.

All political parties and political members can forward queries or questions relating to the challenges of political parties to the Myanmar Multiparty Democracy Programme, and we will share information, manuals, training tools, guidelines, resource institutions and literature on the topics of interest.

Send requests to Country Coordinator Khin Thazin Myint at email: ktzm@dipd.dk

This knowledge facility is a living information resource for political parties in Myanmar. For more information visit the Myanmar page on www.dipd.dk and www.mynamarmultiparty.org

Electoral system

In a **first-past-the-post electoral system**, MPs tend to be more powerful relative to the party since the MPs can determine their candidacy and draw on their personal popularity in the election. In a **closed list proportional representation system**, parties tend to be more powerful relative to their MPs since the parties control access to who gets on to the party's list of candidates and where each candidate falls on the list. In an **open list proportional representation system like in Denmark**, the MPs have relatively more power since their individual popularity will contribute to whether they are elected or not. Other forms of **proportional representation** provide for different levels of MP and party influence. **Mixed member constituencies and other hybrids** provide for varying levels of influence depending on the mode of election of the particular MP and the level of party influence on the particular type of race.

Laws and regulations regarding political party registration, membership and affiliation also play a significant influence on the relationship between MPs and their parties.

- 1) The **presence of independent candidates for Parliament**. If independent candidature is not an option, parties will tend to have more authority over their parliamentarians.
- 2) The **rules on changing party affiliation in Parliament**. If Parliamentary rules of procedure prohibit party defection, MPs will be less likely to go against their parties in Parliament. If the sanctions for defection include losing their parliamentary seat, that will be a significant disincentive for MPs to defect from their parties.

In addition to the institutional factors, a number of other dimensions contribute to how the relationship between political parties and their MPs is structured. Some of the most important include the following:

- 1) The **level of financial contribution of the parties to the campaigns of their parliamentary candidates**. The higher the level of contribution made by the candidate relative to the contribution of the party, the less influence the party will tend to have on the MP once the MP is elected.
- 2) The **degree of party identification of citizens**, or the extent to which they are likely to vote for a candidate based on party affiliation rather than the qualities of the individual candidate. Where citizens tend to vote the party line, the party will have more influence over the MP.
- 3) The **degree of internal democracy and participatory decision-making in the party structures**. In parties with limited internal democracy and minimal participation in decision-making, the party leaders will wield considerable power over the MPs. In some cases, however, this will limit the involvement of the MPs in the party and therefore may diminish the party's influence over them.
- 4) The **process of party decision-making and the structure of representation of party MPs in party decision-making structures**. If MPs are granted significant representation in the party structures and party decision-making bodies, they can influence the party's decisions considerably, especially if the MPs constitute a sizeable number relative to other decision-makers. If the MPs contribute to the party through a routine mechanism, they may also wield increased influence due to their ability to withhold scarce financial resources.
- 5) The **system of organisation of the party parliamentary caucus**. A well-organized and vibrant party parliamentary caucus can boost the power of the MPs relative to the party, and also provide the MPs with an independent institutional and resource base.
- 6) The **rules and guidelines for party discipline**. Parties with strict and consistently enforced codes of conduct and disciplinary procedures will tend to have more control over the behaviour of their MPs. This includes
 - a. Control over candidate nomination
 - b. Policy instructions to parliamentary party groups
 - c. Control over sanctioning of MPs
 - d. Formal rights of the party to be informed by the MPs

- 7) The **structure of parliamentary rules of procedure**. Parliamentary rules of procedures that recognize the **whipping system** and provide resources to party leaders in Parliament can provide for a more independent and proactive group of party MPs. Also, the procedure for nominating party whips—depending on if they are elected in Parliament or nominated by the party leadership—also has an impact on the party's influence over its parliamentarians. This will be considered in more detail below.

THE IMPACT OF PARLIAMENTARY RULES AND PROCEDURES

A parliamentary whip is the leader of the party's MPs in Parliament, whose role is to:

- meet with the whips of opposing parties to plan the parliamentary agenda
- organize lists of party members to speak on bills and other business
- keep MPs informed about parliamentary business
- ensure attendance of party members at important debates,
- negotiate "pairs" with opposing parties to make sure that voting numbers are kept in balance if an MP is absent
- provide advice and support for party members; and
- communicate the opinions of parliamentary backbenchers to party leadership.

In presidential systems the whip can be referred to as the Majority or Minority Leader.

The "three-line whipping system" is a technique for parties to manage how their MPs vote in Parliament based on a system of three lines. The party chief whip sends out a circular at the beginning of each week of Parliament notifying the members of parliamentary business for the week. Under each item are a number of lines based on the importance of the issue.

- 1) Items underlined once are business considered routine, where attendance is optional
- 2) Items underlined twice are more important and attendance is required unless the MP has arranged a "pair with a member of the Opposition" who will also be absent for that particular item of business
- 3) Items underlined three times are of crucial importance and attendance is mandatory.

Depending on the level of discipline in the party, failure to attend a two- or three-line agenda item can be grounds for sanction by the party including expulsion from the party.

In presidential and hybrid systems, the whips or majority leaders also face the challenge of convincing MPs to vote the party line in case where there is a lack of consensus between the party leaders and the party's MPs. The parties have a range of inducements and threats to encourage MPs but the effectiveness of these depend on some of the influencing factors discussed above.

PARTY ANTI-DEFECTION LAWS

To prevent MPs from defecting to other parties, especially to ruling parties, some countries have passed anti-defection laws, that require party MPs to abandon their seats in Parliament if they cross over to another party or, in a few cases, vote against their party line on a particular issue. These laws, frequently used in former Commonwealth countries and especially in South Asia,

seek to prohibit defection from one party to another by forcing the MP to resign if the MP joins another party.

Although such laws would seem to make floor-crossing difficult, the evidence on their effectiveness is minimal. Common objections to such laws are that they limit the freedom of expression of the individual MP and also the ability of the MP to act in the best interest of his or her constituency. In any case, anti-defection laws can only temporarily prevent the defection of MPs since they can always stand for a different party during the next election cycle (see also MMDP Knowledge Brief on Defection).

THE BALANCE BETWEEN DISCIPLINE AND INTERNAL DEMOCRACY

Maintaining a constructive relationship between party leaders and party MPs is a fine balance between the party leaders exercise control over their party MPs and allow for deliberation and debate between the party leaders and its MPs to accommodate the needs and demands of the MPs. In situations where the balance of power is tilted to-wards the MPs—in first-past-the-post systems, where MPs fund their own campaigns, where party affiliation among citizens is weak, where the legal framework limits the control over MPs by parties, or where discipline over individual MPs in Parliament is weak—parties will have to persuade rather than discipline their representatives in Parliament. In cases where the parties have greater levels of influence over their parliamentarians, parties can still make sure that there are channels to accommodate the voices of their MPs, to promote internal democracy in the party and ensure that all voices are considered to lead to appropriate decisions.

CASE STUDIES

In **Zambia**, weakly institutionalized party parliamentary groups translate into a system where party leaders exercise considerable dominance over their MPs. Due to a lack of facilities in terms of office space, technical staff, and regular meetings, party parliamentary groups or caucuses have been very limited in their ability to take an independent line from party leadership. Among the ruling party, the Movement for Multiparty Democracy (MMD), those MPs who toe the party line are more likely to receive ministerial appointments, while those MPs who speak or vote against government bills or policies have been threatened or sanctioned. MPs representing opposition parties in Parliament face similar challenges. In general a lack of communication between parties and their MPs characterizes the party-MP relationship across all the parties. The inability of MPs in Zambia to challenge their parties undermines their ability to represent their constituents and their watchdog role, according to one analyst. The ability of the President to offer the inducement of ministerial positions (a particular feature of this Presidential-Parliamentary hybrid system) provides a strong incentive to demonstrate loyalty to the President and the party leadership. (Simutanyi, 2005)

In **Denmark**, political parties exercise considerable control over their parliamentarians, with MPs voting along party lines on most issues. A greater amount of consensus building on legislation, however, exists than one would expect. Approximately 80% of the legislation passing through the Danish Parliament is passed with the support of 80% of Parliamentarians. A recent study shows that different types of party organisation may account for the willingness of the party's MPs in Parliament to compromise. According to this study, "parties dominated by the parliamentary party group more frequently enter binding legislative coalitions than do parties dominated by their national party organisation." Therefore, differences in party organization may result in different relationships between parties and MPs, as in the case where the Socialist People's Party rejected the opportunity to join the Social Democrats in government in 1966 due to protests from the national party organization, even though the SPP's leader and parliamentary group favoured joining". (Pedersen)

In **Indonesia**, very centralized political parties dominated by powerful individuals make parliamentarians focus on their loyalty to their party and on its leaders, rather than to their constituency. The closed list electoral system has made it easier for the party to punish disloyal or critical parliamentarians. Likewise, the ability of the political party to dismiss legislators based on the Law on Political Parties provides another tool by which parties can discipline critical or independent MPs. One party leader argued that, "If somebody quits the party and is still in parliament... whom does he represent?" (Ziegenhain 2008: 126) This strict party control over parliamentarians in Indonesia, however, undermines the representative functions of MPs, however, with various studies showing weak links between the public and their parliamentarians.

In **Uganda**, attempts to apply party discipline on parliamentarians have met with limited success. Although parties are relatively centralized, the first-past-the-post electoral system, self-funding of candidates, and close relationship between MPs and their electorate has made the threat of expulsion of MPs from the Parliament a weak one. According to the law, parties are only able to remove their MPs from parliament if the MP "leaves" the party, implying a voluntary break by the MP with the party. This means that even if the MP is expelled from the party by the party, the MP will be able to remain in Parliament. A case involving four "rebel MPs" of the ruling party has ended up in court with no quick resolution, but even if the targeted MPs lost their seats, they could likely regain them as independents or as candidates for another party.

WEBPAGES AND LINKS

ACE project: <http://aceproject.org/ace-en/topics/pc/pcd/pcd03>

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Portal for Parliamentary Development: <http://www.agora-parl.org/>

IPU website: www.ipu.org

Janda, Kenneth (2009). *Laws Against Party Switching, Defecting or Floor-Crossing in National Parliaments*. Legal Regulation of Political Parties, Working Paper no.2.

Janda paper: <http://www.partylaw.leidenuniv.nl/uploads/wp0209.pdf>. Inter-Parliamentary Union paper: <http://www.ipu.org/conf-e/129/control-study.pdf>. Constitutional Sources of Party Cohesion: Anti Defection Laws Around the World: www.uio.no/english/.../Rome-Nikolenyi.pdf

Simutanyi, Neo (2005). *Parties in Parliament: The Relationship between Members of Parliament and their Parties in Zambia*. EISA Occasional Paper Number 36, September 2005.

Ziegenhain, Patrick (2008). *The Indonesian Parliamentarian and Democratization*. Institute of Southeast Asian Studies, Jan 1 2008.