

SETTING BENCHMARKS FOR ENHANCED POLITICAL PARTY PERFORMANCE FOR DEMOCRATIC GOVERNANCE IN AFRICA



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EISA is a non-partisan organisation which seeks to promote democratic principles, free and fair elections, a strong civil society and good governance at all levels of society in Africa.

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POLITICAL PARTY BENCHMARKS

INTRODUCTION

Based on the principle that democracy is dependent on, *inter alia*, well-functioning political parties, it is suggested that one way to address the challenges faced by parties is by developing political party benchmarks for enhanced democratic governance within and between political parties in Africa. Benchmarks in this context are a set of indicators, norms and principles which reflect practices and behaviours that citizens can expect of their parties, regardless of ideology, geographic location or size.

The background to the formulation of the benchmarks was an EISA conceptualisation workshop held on 1 June 2010, and the development of a concept paper identifying key issues. This was followed by reference group meetings held in Johannesburg on 14 and 15 October 2010, and again on 22 November 2010. In addition, six country workshops were held with political parties in Botswana, Chad, Kenya, Lesotho, Mozambique and South Africa.

The benchmarks were divided into two broad streams: the political system; and political party institutionalisation and organisational focus. The goal for the development of benchmarks for enhanced democratic governance within and between political parties in Africa is to enhance the capacity of political parties in Africa to be effective, accountable, responsive, transparent and internally democratic. The benchmarks reflect the role that political parties play and, through the contribution of political parties themselves, address the question of how parties in Africa ought to be institutionalised.

It is important to distinguish between internal and external issues that affect political parties' functions. The internal functioning of parties follows constitutions, rules and regulations, programmes, manifestos, codes of conduct and ethics developed by parties with a view to imbuing a particular culture that defines their institutional character. To be institutionalised means to have strength and durability, to be able to withstand crises and to govern effectively or present credible governing alternatives. There are at least five areas relating to the internal organisation of political parties that can provide such criteria: organisational strength; internal democracy; political identity; internal party unity; and electioneering capacity. External systematic issues of particular relevance to the development of the benchmarks include: the party system and its effects on political parties; and the external regulation of parties, including the constitutional and legal frameworks, electoral systems and the party funding environment.

It was agreed at EISA's 5th Annual Symposium held with experts and political party representatives from across the African continent on 23 and 24 November 2010 that there is a dire need for parties to be assisted in implementing the political party benchmarks, and that those

organisations providing assistance to political parties should seek to understand the political context of the countries they may be working in. The development of these political party benchmarks acknowledges, draws upon and develops on the work conducted by other organisations, including the Netherlands Institute for Multi Party Democracy's (NIMD) Framework for Democratic Party-building, Institutional Development Handbook (2004) and the National Democratic Institute for International Affairs (NDI), Best Practices of Effective Parties: Three training modules for political parties (2003), and A Guide to Political Party Development (2008). The development of benchmarks by EISA is distinguished from previous processes by firstly involving the political parties together with experts in a collaborative process of establishing a normative framework for political parties. The benchmarks listed below, while recognising the relationships between parties' internal organisational arrangements and the overall political system, distinguish the norms for a democratic party system from internal organisational and institutionalisation processes within parties. These benchmarks focus comprehensive attention on both norms for an open and democratic political party system, as well as on norms for effective party internal organisational arrangements that are democratic and functionally efficient.

BENCHMARKS

I. THE POLITICAL SYSTEM

I.1 PARTY SYSTEMS AND LEGAL FRAMEWORK OR REGULATORY INSTRUMENT

- a) Basic political freedoms such as the freedom of expression, the freedom to organise politically and the freedom to associate must be protected constitutionally and promoted by leaders and parties.
- b) There should be public acknowledgement through legal or constitutional mechanisms of the role of political parties in political decision-making and policy formulation. Such party laws may not undermine universally protected individual rights to freedom of expression and association.
- c) There should be a party law that stipulates what constitutes a party according to constitutional provisions and the law, and anchored in universally recognised democratic principles.
- d) Political systems need to create the right and the space, and develop a process-oriented mechanism for the contestation of presidential and other electoral outcomes presided over by an independent statutory body. Appropriate dispute-resolution mechanisms need to be well codified and well publicised, and the findings and recommendations of these bodies must be respected by all parties.
- e) There should be appropriate and adequate public funding laws for represented political parties in parliament on the basis of an agreed formula.
- f) There should be transparency in the receipt and disposal of private party funding and mandatory disclosure to parliament, EMBs, or any other appropriate statutory oversight and regulatory body.
- g) There should be maximum campaign spending limits as well as donation limits regulated by-laws.
- h) Political parties should recognise the role played by traditional authorities/ governance structures in enhancing the participation of people.
- i) Continental and regional bodies must consistently, justly, fairly and faithfully apply electoral and other political and governance principles and standards that these bodies have adopted.

- j) Parties should comply with the constitutional and legal framework pertaining to gender equality, and where such frameworks are lacking parties should call for their establishment or improvement.
- k) Parties should call for the adoption, ratification and implementation of international, continental and regional conventions and protocols on women and gender issues.
- l) The member states should incorporate these standards and principles in their laws and practices.

I.2 POLITICAL PARTIES IN PARLIAMENT

- a) There should be opportunity, and no unfair discrimination, for all elected MPs to participate in all parliamentary decision-making structures and processes, provided they have not violated parliamentary procedure and/or democratic principles.
- b) Parliamentary rules and standing orders should be clearly codified, with due regard to reasonableness, equity and fairness.
- c) Irrespective of which party they belong to, elected MPs must be allowed to conduct whatever oversight, monitoring or inspection activities they wish to carry out without interference, let or hindrance. This right of all MPs must be reflected in the rules and orders of parliament and must be sanctioned and protected by law.
- d) All political parties must comply with a parliamentary code of conduct and/or register of interests with regard to the disclosure of private interests. Where a register or code might not exist, these should be established.

I.3 POLITICAL PARTIES AND THE STATE

- a) Parties in government must be compelled not to use the security apparatus as an instrument of the political party while in government and as a private institution. The security services must protect society and the state as a whole, and not the interests and behests of one political party.
- b) There should be a clear distinction between the roles and functions of the head of state and the party president.
- c) Access to state information must not be unreasonably restricted. Parties must be able to use this information to fulfil their functions.
- d) There should be a clear separation between governing party and the state.

- e) There should be no abuse of public resources by parties and this should be monitored by an independent statutory body.
- f) Political parties should respect legitimately constituted states/governments, and states/governments must create an enabling environment for the proper functioning of all political parties, including the opposition.

I.4 POLITICAL PARTIES AND SOCIETY

- a) Political parties should be engaged in integrating citizens into public policy processes and into democratic political decision-making through public participation.
- b) Political parties should be well anchored in society, irrespective of the electoral system.
- c) Political parties ought to seek regular interaction with different social constituencies in order to legitimate their role in the political system and ensure stability in party competition.
- d) Political parties should act as servants and instruments of the public good rather than as the owners and bosses of society.

I.5 POLITICAL PARTIES AND THE ELECTORAL SYSTEM/REFORM

- a) Political parties are encouraged to review the electoral system regularly to ensure it meets the needs of the people.
- b) In reviewing electoral systems, political parties should ensure inclusiveness and participation of parties and citizens, and exercise self-restraint in perpetuating incumbency. In doing so, existing civil and political rights must not be diluted.
- c) Reviews must be conducted with due regard for the need for government formation and stability, political stability, representativeness, accountability and public needs.

I.6 POLITICAL PARTIES AND EMBS

- a) There should be regular, structured and agenda-driven consultations and interactions with EMBS, inclusive of all political parties.
- b) Political parties should recognise the authority and conform to the common rules established by EMBS and relevant electoral laws.

- c) All parties in each country must subscribe to an enforceable campaigning and a general electoral code of conduct, with sanctions for non-compliance.
- d) These codes should clearly specify standards for tolerance and non-violence.
- e) The electoral authorities/commissions should faithfully dispense with their duties and responsibilities without interfering politically and should stick to political and electoral management and administration.

I.7 POLITICAL PARTIES' RELATIONSHIP WITH THE MEDIA

- a) Political parties should not monopolise state media/public broadcasters or misuse them for partisan purposes.
- b) Political parties should not use the private and public media for the purpose of propagating 'hate speech' or intolerance.
- c) During the electoral campaign period, there should be equitable access to the public media/broadcaster for all parties based on an agreed formula.
- d) Political parties should refrain from unethical and illegal conduct in soliciting media coverage.

I.8 INTERACTION BETWEEN POLITICAL PARTIES

- a) *Interaction*
 - i. Free interaction between political parties should be encouraged.
- b) *Contact and dialogue*
 - i. Cross-party dialogue inside and outside of parliament on key national issues must be encouraged as a method to minimise and prevent conflicts, and must be as inclusive of different stakeholders as possible.
- c) *Coalitions /alliances*
 - i. Coalitions should be based on written agreements and anchored within agreed norms, with a deadlock-breaking mechanism and conflict-resolution provisions built in to them for issues on which consensus cannot be reached.
- d) *Competition*
 - i. Competition among political parties should be free, fair and peaceful.
 - ii. Political parties should follow proper channels to resolve disputes peacefully and should respect the authority of legitimately constituted EMBs and courts.
 - iii. Interparty peace resolution structures must be enforced in conflict or immediate post conflict societies.

- e) *Contestation*
 - i. There should be respect for commonly agreed constitutional and legal rules for political interaction, in line with constitutional provisions and the law and anchored in democratic principles.
 - ii. Contestation should aim to be based on differences of ideas and policy.
 - iii. Parties should subscribe to and abide by the principle of the inviolability of the voters' verdict, as expressed through the outcomes and results of electoral processes that accord with the norms and standards adopted by international, continental and regional bodies.
 - iv. Political parties should follow proper channels in challenging election results (i.e.) courts.

- f) *Campaigning*
 - i. Campaigning should be based on issues and should be devoid of 'hate speech'.
 - ii. Campaigning should be overseen by an independent body.
 - iii. There should be a clearly defined code of conduct for election campaigning, with defined sanctions for parties in instances where there is non-compliance.
 - iv. There should be no use of state resources for campaigning purposes, except for legally sanctioned public resources for political parties.
 - v. There should be regular, structured and agenda-driven consultations and interactions with the EMB that are inclusive of all political parties and which feature conflict resolution mechanisms.

2 POLITICAL PARTY INSTITUTIONALISATION AND ORGANISATIONAL FOCUS

2.1 VALUES AND PRINCIPLES FOR POLITICAL PARTIES

- a) Transparency
- b) Integrity
- c) Honesty / trustworthiness
- d) Accountability
- e) Responsibility (towards the public needs and for stable and proper functioning of government)
- f) Participatory (in their approach to political decision-making and policy formulation)
- g) Inclusiveness (party organs and membership, gender dimension, youth and other vulnerable and marginalised groups)
- h) Gender parity
- i) Responsiveness
- j) Consensus oriented
- k) Tolerance
- l) Fairness

- m) Solidarity
- n) A culture of open debate and a fair contest of ideas
- o) Subscription to human rights
- p) Non-violence

2.2 FUNCTIONS OF POLITICAL PARTIES

- a) Representation
- b) Political elite formation and recruitment
- c) Goal/policy formulation
- d) Interest articulation and aggregation
- e) Providing alternative policy and political options and choices to citizens for enhancing plurality in the political system
- f) Civic education, political socialisation and mobilisation
- g) Organisation of government and opposition within the rules of the political game. Political parties should strive for the consolidation of social cohesion and state integrity
- h) Conflict mediation

2.3 INSTITUTIONAL FUNCTIONING OF POLITICAL PARTIES

a) Transparency, integrity and accountability

- i. Political parties should have an enforceable code of ethics and code of conduct.
- ii. Members of political parties should formally subscribe to these codes.
- iii. Political parties should have an internal whistle-blowing function and internal rules to protect whistle-blowers against arbitrary disciplinary procedures.
- iv. Political parties should appoint an internal integrity officer.
- v. Parties should keep and distribute all relevant records and publish all voting outcomes for leadership positions.
- vi. Parties should keep records and publish all party resolutions and relevant documents emanating from official party meetings and congresses/conferences.
- vii. Parties should have transparent and democratic voting and appeal processes for all internal party elections.
- viii. Parties should have periodic financial audits conducted and should have structures which provide oversight over finances and audited results.
- ix. Parties must produce and circulate on party members' demand copies of such records and reports for inspection, scrutiny and study, and create platforms for members to facilitate discussion on these.
- x. Parties should make provision for internal audit processes.

b) Intra-party democracy

- i. Political parties should ensure internal democratic governance in terms of member participation, system of information, management of assets, accounts, audits, administration and intra-party elections.
- ii. All intra-party procedures should adhere to democratic principles; there

should be rules of intra-party conflict management according to democratic norms.

- iii. Political parties should promote and protect democratic leadership.
- iv. Parties should have credible and regular rules/process-driven elections at different levels for different positions, with new or renewed mandates to leaders.

c) Political identity

- i. Parties should clearly define what they stand for and should distinguish themselves on an ideological and/or programmatic basis.
- ii. Political parties' membership should be voluntary, open and non-discriminatory.
- iii. Parties should have a broad vision and policies that form their identity.
- iv. Party policies must be based on and driven by a realistic agenda that incorporates a set of issues which mobilise constituents in society, leading to an effective differentiation and distinction between the parties.
- v. Parties should have policies and defined policy-making and policy-formulation processes that are inclusive and participatory of their membership.
- vi. Party manifestos and policies should translate into a governance and government oversight/monitoring agenda.

d) Organisational capacity

- i. Political parties should have regular conferences conforming to the constitutional provisions of the party based on an agenda, and regular meetings of the party's executive structures.
- ii. Parties should have established processes and structures for decision- and policymaking and communication.
- iii. Parties should have appropriate procedures for decision-making (applying and enforcing discipline, consensus building and decision-making through credible due process which is respected and adhered to).
- iv. Parties should have established processes of communication with the rank and file (inclusive of the grassroots level).
- v. Parties should have upper limits for the tenure of leadership positions.
- vi. Parties should recruit and promote women, youth and other marginalised groups within the party's organs as well as to strategic leadership positions in the party and in government, and as party candidates for public office at all levels.
- vii. Parties should dedicate resources for the purposes of promoting gender parity.

e) Party policy documents

- i. Political parties should make publically available basic documents detailing and defining functions, for example, their constitution, internal rules and regulations, vision and political programme.
- ii. Parties should have a political programme that informs their identity and therefore their policies. This is interconnected and mutually reinforcing.

- iii. Party policies must be agenda driven with effective differentiation and distinction between the parties. They must incorporate a set of issues and a realistic (implementable) agenda that serves as a basis on which they try to mobilise constituents.
- iv. Parties should have policies and defined policy-making and policy formulation processes that are inclusive and participatory.
- v. Parties should review their policy documents (such as constitutions, manifestos and other documents) to ensure sensitivity and responsiveness to gender issues.

f) Regular and formal functioning of party organs

- i. Political parties should have regular conferences that conform to the constitutional Provisions of the party and which are based on an agenda and regular meetings of the party's executive structures.
- ii. Party conferences must be representative of the broad party membership and attended by genuine delegates in terms of the party constitution.
- iii. Parties must have internal communication functions that disseminate information to all members and structures of the party. This information includes decisions, policies, discussions, important dates of conferences and congresses, as well as the names and contact details of office bearers and party structures.

g) Party leadership

- i. Political parties should promote and protect democratic leadership.
- ii. Political parties should aim to capture state or governmental power only through constitutionally legitimate ways.
- iii. Parties should have credible, regularly elected, rules / process-driven elections at different levels for different positions, with new or renewed mandates to leaders.
- iv. Party leadership must be elected and changed or disbanded only by democratic means.
- v. Parties should have processes and structures for decision- and policy-making and communication.
- vi. Parties should have adequate or appropriate procedures for decision-making (applying and enforcing discipline, consensus building and decision-making through credible due process that is respected and adhered to).
- vii. Leaders should practise openness and should accept criticism and different ideas.
- viii. Parties should review their leadership structures to ensure gender parity.

h) Internal democracy

- i. Political parties should ensure internal democratic governance – member participation, system of information, management of assets, accounts, audits, administration.
- ii. Political parties should allow and encourage free intra-party debates and dissenting views by members, and should tolerate criticism of their policies and leaders.

- iii. Party manifestos and policies should translate into a governance and government oversight/monitoring agenda.
- iv. Political parties should have internal conflict-management mechanisms.

2.4 FURTHER SUGGESTED BENCHMARKS

- a) The benchmarks should be included in the African Union's African Charter on Democracy, Elections and Governance.
- b) Like-minded parties at the regional level should put in place forums for sharing information and experiences.
- c) Indigenous languages should be used where possible to facilitate political discourse and engagement.