

How Nations Govern Political Parties*

Kenneth Janda
Northwestern University
Evanston, Illinois, USA
k-janda@northwestern.edu

Prepared for the 20th World Congress of the International Political Science Association,
Fukuoka, Japan, 9-13 July 2006

Special Session 3.476: Global Theoretical Issues for Political Parties

ABSTRACT

Political parties seek to govern. In their pursuit of power, parties are themselves regulated by the government — sometimes under rules that parties support, sometimes under rules they oppose. While scholars have widely acknowledged that most countries regulate political parties through a myriad of laws and rules, we have lacked comprehensive comparative information about the legal origins of these regulations and their political targets and scope. I have created a cross-national survey of over 1,000 government regulations in 169 countries that affect the legal status of parties, their activities, finances, campaigns, candidates, organization, and other aspects of party politics. This inventory of government regulations concerning political parties has been compiled into a database that can be queried to answer questions about the shape and extent of the legal framework under which parties operate.

Introduction: What Is Party Law?

Nations govern political parties through party law. This term, “party law,” is also used for parties’ attempts to govern themselves through internal party regulations enacted in rules, by-laws, party charters, or party constitutions. Party scholars have been traditionally interested in party law in the sense of internal party rules. Party law in this paper, however, refers to *state* law as enacted in national constitutions, court law, legislative statutes, executive orders, or administrative rules. Party law in this legalistic sense tends to be of more interest to lawyers than political scientists. In their article on “Party Law,” Müller and Sieberer, characterized party law in the legalistic sense as “the domain of academic lawyers”:

-
- This paper draws from two other writings: Kenneth Janda, “Adopting Party Law,” in *Political Parties and Democracy in Theoretical and Practical Perspectives* (Washington, DC: National Democratic Institute for International Affairs, 2005); and Kenneth Janda, “Creating a Cross-National Database of Party Laws,” Paper delivered at the 2006 Meeting of the Midwest Political Science Association, Chicago, Illinois.

Political scientists, while interested in the substance of party regulation in some selected fields, in particular with regard to elections and party finance, have not devoted much attention to party law as such.¹

Even when limited to government regulations, the term “party law” is nebulous. Where do regulations on parties reside? What forms do they take? Müller and Sieberer say:

Party law can be derived from the main constitutional texts and other constitutional law where such a category exists), special party laws, those laws and regulations that govern elections (electoral laws, campaign regulation, parliamentary organization, political finance, other political activities (e.g., organizing demonstrations), and/or laws that regulate the activities of voluntary organizations in a more general way.²

This paper formalizes the distinctions noted by Müller and Sieberer. It defines *Party Law*—the proper noun—as statutes regulating political parties and codified under a comparably descriptive title: for example, Germany’s “Law on Political Parties” or South Korea’s “Political Parties Act.”³ When “Party Law” is written with capitals in this paper, it refers to specific Party Law statutes.

The paper defines *party law*—the common noun—as the body of state-based regulations that determine the legal status of political parties and that often specify what constitutes party membership, how parties must be organized, how they should campaign, how they must handle party funds, and so on. The term “party law” in lower case refers to a body of party law, which derives from a nation’s Party Law (if it has one) and from legislative statutes, administrative rulings, court decisions, or even national constitutions. Laws that govern the definition, composition, structure, and activities of political parties lie at the core of party law, which focuses on political parties as organizations subject to state regulation.

The boundaries of party law can be illuminated by considering three related bodies of law: *electoral law*, *campaign law*, and *political finance law*. Distinct laws enacted to govern elections, campaigns, and political finance overlap with party law but focus on something distinctive.

Electoral law: National elections are dynamic events in which millions of citizens typically cast ballots for hundreds of candidates and scores of parties. Thousands of government officials then tally these ballots. This complex process requires minute rules to guide the behavior of all the political actors. The core focus of electoral law is the framework and administration of these elections. Such law in the United Kingdom, according to a 2003 government study,

developed in a piecemeal fashion over many years, and is to be found in no fewer than 36 separate pieces of legislation dating back to the Parliamentary Elections Act 1695. Although the Representation of the People Act 1983 was a consolidation Act, there are no less than 19 extant new Acts and 63 pieces of

¹ Wolfgang C. Müller and Ulrich Sieberer, “Party Law,” in Richard S. Katz and William Crotty (eds.), *Handbook of Party Politics* (London: SAGE Publications, 2006), p. 435.

² Ibid.

³ *Gesetz über die politischen Parteien* in German. The Korean translation was furnished by Lee Ki Sun, Director General of Public Information of the Republic of Korea’s National Election Commission. I am indebted to Mr. Lee for providing English translations of all the Korean laws cited herein.

subsidiary legislation affecting electoral law since that time.⁴

According to Shaheen Mozzar and Andreas Schedler, electoral law (which they term “electoral governance”) consists of

... the wider set of activities that creates and maintains the broad institutional framework in which voting and electoral competition take place. It ... involves the design of institutions that define the basic framework of democratic elections. ... Traditional electoral rules covering suffrage rights, rules of representation, assembly size, district magnitude, district boundaries, and electoral calendars form part of the agenda.⁵

Following the convention set forth above for “Party Law” and “party law,” I use *Electoral Law* for national statutes regulating elections, even though the actual nomenclature varies from country to country.⁶ And I use *electoral law* for a nation’s body of electoral law. This body of law derives from Electoral Law (if it exists) and from legislative statutes, administrative rulings, court decisions, and national constitutions.

Electoral law is often quite comprehensive. Within electoral law, Mozzar and Schedler include:

the formal rules that govern voter, party, and candidate eligibility and registration; ... laws and regulations that affect the resource endowments of parties and candidates (their access to money and media)⁷

Whereas national Election Laws often specify how political parties should operate, Party Laws seldom specify how *elections* should operate. Nations are more likely to have a titled Election Law than a Party Law, but if they have both, their Electoral Laws tend to be longer, reflecting regulation of *both* elections and parties. For instance, the English version of the South Korean Election Law is about 200 pages versus about 70 pages for its Party Law. Similarly, the German Electoral Law is considerably longer than the German Party Law.

Campaign law: Campaign regulations are often subsumed under Electoral Laws, but they also issue from other sources and constitute a relatively distinct body of campaign law. Moreover, some nations enact legislation that is titled as Campaign Law: Consider the 1971 U.S. Federal Election Campaign Act and its Bipartisan Campaign Reform Act of 2002.

Campaign law can specify the duration of election campaigns, what activities are permissible, whether poll results can be published prior to the vote, and other aspects of election campaigns.⁸ Like the two U.S. Campaign Laws, campaign law can also regulate political parties,

⁴ Electoral Commission (U.K.), *Voting for Change: An Electoral Law Modernisation Programme* (London: Electoral Commission, 2003), 28.

⁵ Shaheen Mozzaffar and Andreas Schedler, “The Comparative Study of Electoral Governance—Introduction,” *International Political Science Review* 25 (January 2002): 7.

⁶ The German *Bundwahlgesetz* translates simply as the “Federal Electoral Law.” The South Korean Election Law is the “Act on the Election of Public Officials and the Prevention of Election Malpractices.”

⁷ Shaheen Mozzaffar and Andreas Schedler, “The Comparative Study of Electoral Governance—Introduction,” 7.

⁸ Fritz Plasser with Gunda Plasser, *Global Political Campaigning: A Worldwide Analysis of Campaign Professionals and Their Practices* (Westport, Conn.: Praeger, 2002), 137–75.

specifying how candidates or parties can raise and spend funds, how finance committees must be organized, and so on. To the extent that campaign law deals with political parties, it becomes a source of party law.

Political finance laws: Karl-Heinz Nassmacher uses the term “political finance” to encompass both “party finance” and “campaign finance.”⁹ Both topics are relevant to party law. However, some groups—like Transparency International—are concerned more broadly with the role of money in buying favors in public policy and in defrauding the government so as to obtain services and material. They focus on money as a lubricant for political corruption.¹⁰ Political finance in its narrower sense—limited to party and campaign finance—is included in party law.

The body of political finance law can issue from many sources, sometimes from a specific Political finance Law. South Korea, for instance, has a “Political Fund Act” that encompasses political parties, candidates, and political associations. To the extent that political finance law deals with political parties, it becomes a source of party law.

Relationships among the Four Bodies of Law: Figure 1 sketches the hypothetical relationships among these four bodies of law. The heavy black circle in Figure 1 represents the body of party law—all state regulations of political parties, regardless of source.

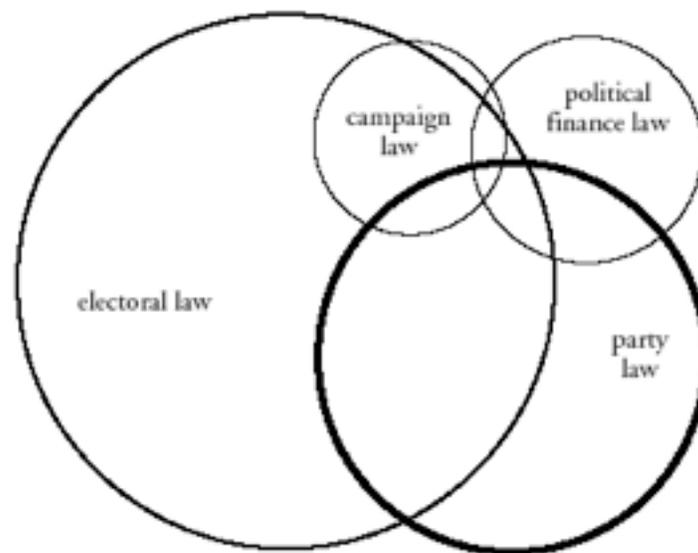


Figure 1: Relationships among Bodies of Law Affecting Political Parties

The overlapping area between the circles for electoral law and party law in Figure 1 indicates that some portion of state regulations of political parties originates in state regulations of

⁹Karl-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), 10.

¹⁰ Transparency International, *Global Corruption Report 2004* (Berlin, 2004), 12. The report is available in PDF at www.globalcorruptionreport.org/index.shtml.

elections. Although a nation's electoral laws can also affect the number and type of parties that can exist and that prosper, such indirect effects are regarded as being on the periphery and not at the core of party law as defined for the purposes of this paper.

The next section of this paper reviews existing analytical studies of party law and existing cross-national empirical research of party law. The third section describes my effort to build a cross-national database of party laws, which constitutes my contribution to empirical research on the topic. The fourth section uses the database to evaluate how nations govern political parties. To foreshadow that evaluation, nations govern political parties according to five alternative models. In general terms, nations tend to adopt regulatory policies that *proscribe*, *permit*, *promote*, *protect*, or *prescribe* parties and party activities. The paper ends by discussing six key issues in party law and drawing eleven conclusions about governing political parties.

Existing Studies of Party Law

There has been little comparative research on state-based party law. An Internet search for "party law" or "parties law" over 430,000 entries in the Worldwide Political Science Abstracts database in 2005 returned only 26 citations; four of which were to web sites. Of the 26 citations, 18 were somewhat relevant, but nearly all were on party laws in specific countries (Jordan, Germany, India, Spain, Italy, etc.). Eight of the 26 were in a foreign language (5 in German). Finally, the terms "law" and "legal" appeared only twice in relevant context among 1,410 keywords supplied by authors to describe 354 articles published in the international journal, *Party Politics*, from 1995 to 2006.¹¹ Comparative analysis of party law is not often studied.

Analytical Studies

In 1994, Leslie Seidle, a Canadian scholar, wrote a brief paper on party law for the National Democratic Institute. Seidle relied heavily on the 1974 Canadian Elections Act and drew comparisons with German, French, Australian, and American law.¹² He examined the rationale for public regulation of parties and its objectives, most notably the regulation of party finance. Indeed, government regulation of party finance virtually constitutes a free-standing field in party law that can be analyzed (according to Nassmacher) in rules on expenditure, income, transparency, and enforcement.¹³

In 2004, USAID commissioned a paper by Richard Katz on "Democracy and the Legal Regulation of Political Parties." Katz's paper, although similarly brief, was less comparative and

¹¹ One mention was to "electoral law" and the other to "legal quotas." Three mentions to "Duverger's law" were not considered relevant.

¹² F. Leslie Seidle, "Regulation of Political Parties: Rationale and Modalities," paper prepared for the National Democratic Institute for International Affairs, dated July 25, 1994. Pp. 1-16.

¹³ Karl Heinz Nassmacher, "Regulation of Party Finance," in Richard S. Katz and William Crotty (eds.), *Handbook of Party Politics* (London: SAGE Publications, 2006), pp. 446-455.

more analytical, distinguishing between “party statutes” and “party laws.”¹⁴ Katz defined party statutes as “sets of rules generated by each party for its own internal governance,” and he reserved the term “party laws” for the body of state rules concerning what parties must and must not do—what is legal and illegal in party politics. Katz cited three objectives of state-based party law:

1. *To determine what constitutes a political party.* This determination often spawns additional party laws: who qualifies for ballot access, who benefits from public resources (such as subsidies or broadcast media), who participates in the government and how, and so on.
2. *To regulate the form of activity in which parties may engage.* This umbrella heading covers the raising and spending of funds, campaign activities, and issue stands in party platforms or manifestos, and more.
3. *To insure appropriate forms of party organization and behavior.* Of his three objectives, Katz held this to be the most controversial, because it intruded into internal issues of party leadership and social relationships. Laws could require parties to elect officers by party members, but a party might prefer to choose them through a party congress. Laws might also demand gender or ethnic equality, or laws might require maintaining party organizations in various national regions. One can conjure many other policy goals that nations seek to implement through party law.¹⁵

Wolfgang Müller, treated party law at length in a 1993 article concerning the role of institutions in party change. Müller said that state laws governing political parties constitute

the most direct form of state intervention in party politics. In principle, party laws can require political parties to fulfill 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).¹⁶

Almost ten years later, Müller returned to the topic of party law in discussing the “institutional framework” within which parties operate. He cited Germany as the prime example of a nation governing political parties through law.¹⁷ In 2006, Müller collaborated with Sieberer to write the lead essay on “Party Law” in the encyclopedic *Handbook of Party Politics*.¹⁸ Their examples were confined largely to European democracies.

In a study conducted a decade ago but still frequently cited, Dan Avnon reviewed major national legislation that governs political parties, which he called “Parties Laws.” Avnon identified nine countries that enacted Parties Laws between World War II and 1994:

Venezuela in 1965; Germany in 1967 (based on Section 21 of the 1949 Constitution and in the context of

¹⁴ Richard S. Katz, “Democracy and the Legal Regulation of Political Parties,” Paper prepared for the USAID conference on “Changes in Political Parties: United States Agency for International Development, Washington, D.C., October 1, 2004, p. 2

¹⁵ *Ibid.* pp. 2-3.

¹⁶ Wolfgang C. Müller, “The Relevance of the State for Party System Change,” *Journal of Theoretical Politics*, 5, (October 1993), pp. 419-454.

¹⁷ Wolfgang 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), p. 262.

¹⁸ p. 435.

the need to regulate party finance); Finland in 1969 (as part of extensive constitutional reform passed that year); Austria in 1975 (in the context of establishing order in finance of party activities); Spain in 1978 (a direct extension of Section 6 of the Constitution adopted that year), Turkey in 1980 (following previous 1965 legislation), Argentina in 1982, Poland in 1990 (part of the process of democratization), and Israel in 1992 (as part of a constitutional reform).¹⁹

Avnon reported on seven of the nine Parties Laws (excluding those in Turkey and Argentina). He found that most of those Parties Laws addressed their (1) legal status, (2) definition, (3) registration requirements, (4) internal organization, (5) party finance, and (6) legal sanctions for non-compliance.

All authors quoted above also said that party law could emanate from national constitutions. Nevertheless, very few studies analyze constitutions as sources of party law. The British constitutional scholar, Eric Barendt, is one exception. After noting the key role that parties play in parliamentary democracies, Barendt says:

One might, therefore, expect constitutions to lay down some framework rules for political parties, at least to prevent them adopting totalitarian policies and to safeguard the rights of individual members. But constitutions rarely say much about parties, while some have totally ignored their existence. The United States Constitution has never taken any notice of them, an attitude which is shared by the uncodified arrangements in the United Kingdom.²⁰

While few constitutions might contain provisions concerning political parties, Barendt says that courts make *constitutional law* through rulings on political parties under other constitutional provisions. That is certainly true in the United States, and even in Britain, which has fundamental law if not a single constitutional text.²¹ Accordingly, Barendt compared the constitutional framework governing political parties in the United Kingdom with that in Germany, France, and the United States.

By expanding the constitutional framework governing political parties to include constitutional law, Barendt accommodated a large literature on legal rulings on parties in the United States. These rulings are reviewed and analyzed in *The Law of Democracy*, a massive (1,100+ page) volume in the University Casebook Series for American law schools.²² Written by three law professors, it contains a 100-page chapter on “The Role of Political Parties” and another on “Money and Politics.” This is the definitive work for scholars and practitioners interested in the legal framework of party politics in the United States.²³ Unfortunately, it says very little about party law elsewhere.

¹⁹ Dan Avnon, “Parties Laws in Democratic Systems of Government,” *The Journal of Legislative Studies*, 1, (Summer 1995), p. 287.

²⁰ Eric Barendt, *An Introduction to Constitutional Law* (Oxford: Oxford University Press, 1998), p. 149.

²¹ *Ibid.*, pp. 26-29.

²² Samuel Issacharoff, Pamela S. Karlan, and Richard H. Pildes, *The Law of Democracy: Legal Structure of the Political Process*, 2nd Ed. Rev. (New York: Foundation Press, 2002).

²³ A more recent review is Daniel H. Lowenstein, “Legal Regulation and Protection of American Parties,” in Richard S. Katz and William Crotty (eds.), *Handbook of Party Politics* (London: SAGE Publications, 2006), p. 456-470.

Empirical Cross-National Research

None of the studies cited above were very comprehensive in reporting on party law across nations. Katz, Müller, Avnon, and Barendt all illustrated their analyses with references to specific laws that affected parties in various countries. Excepting Müller's 2006 article with Sieberer, the authors did not report on the extent or severity of party law across nations. Indeed, some writers seriously underestimated the incidence of party laws worldwide.

Barendt, for example, was wrong in saying that national constitutions “rarely say much about political parties.” Many constitutions say *a great deal* about political parties. Six years prior to Barendt's study, Jorge Laguardia published an essay on the constitutional framework for parties in Central America. Laguardia said, “Recognition of political parties first began with the Guatemalan Constitution of 1945. . . . From then on all countries in the region recognized political parties in their constitutions.”²⁴ Barendt may have been constrained in his vision simply by the paucity of literature on constitutional sources of party law. He also may have considered only advanced democracies, ignoring practices elsewhere in the world—which is true of Müller and Sieberer as well. As revealed in the database, scores of constitutions across the world mention political parties.

Similarly, Avnon's decade-old study of nations with Parties Law, which identified only nine instances, underestimated the number of nations with such statutes. Given the time at which he wrote, Avnon missed only a couple of instances, but many nations since have passed such laws. Today at least 27 nations have what Avnon called Parties Laws, more commonly known as “Party Law.”

Empirical research on party laws is contained in a different body of literature on comparative politics. Individual chapters in the massive handbook by Katz and Mair on party organizations reported party laws for twelve countries.²⁵ However, these laws were not then compared across nations within that volume. Other scholars have compared party laws across nations on selected topics. For example, Plasser and Plasser cataloged and analyzed the regulatory framework of election campaigns in some 70 countries.²⁶ Pinto-Dushinsky compiled and analyzed government regulations for party finance and extent of government subsidies in 104 countries.²⁷ Pinto-Dushinsky's compilation was later used in USAID's expanded report on money in politics in 118 nations.²⁸ Six forms of public control of party finance in some thirty nations were neatly tabulated by van Biezen.²⁹

²⁴ Jorge Mario García Laguardia, “Constitutional Framework for Political Parties in Central America: From Exclusion to Participation,” in Louis W. Goodman, William M. LeoGrande, and Johanna Mendelson Forman, *Political Parties and Democracy in Central America* (Boulder, CO: Westview Press, 1992), p. 82.

²⁵ Richard S. Katz and Peter Mair (eds.). *Party Organizations: A Data Handbook in Western Democracies, 1960-90* (London, SAGE Publications, 1992),

²⁶ Fritz Plasser with Gunda Plasser, “Regulatory Frameworks of Campaigns”, *Global Political Campaigning: A Worldwide Analysis of Campaign Professionals and Their Practices* (Westport, CT, Praeger, 2002), pp. 137-179.

²⁷ Michael Pinto-Duschinsky, “Financing Politics: A Global View,” *Journal of Democracy*, 13, (October 2002), pp.69-86

²⁸ Office of Democracy and Governance, *Money in Politics Handbook: A Guide to Increasing Transparency in Emerging Democracies*, Bureau for Democracy, Conflict, and Humanitarian Assistance, U.S. Agency for International Development: Washington, D.C., Document PN-ACR-223, November, 2003.

²⁹ Ingrid van Biezen, “Political Parties as Public Utilities,” *Party Politics*, 10 (November, 2004), p. 714.

The most comprehensive cross-national study of political finance was sponsored by IDEA—the International Institute for Democracy and Electoral Assistance. As stated in its web site:

The International IDEA database on Political Finance Laws and Regulations contains information on the laws on funding of political parties for more than 100 countries in the world. That makes it the largest collection of such information available.³⁰

With justification, IDEA describes its database on political finance laws and regulations in 111 countries as the largest collection of such information assembled to date.

Also recently, Transparency International, an international non-governmental organization devoted to combating corruption, issued its 2004 report on worldwide corruption from July 2002 to June 2003. Transparency International embraces party finance in its report, but it has broader concerns:

This year's *Global Corruption Report* focuses on corruption in the political process, and on the insidious impact of corrupt politics on public life in societies across the globe. It addresses the following areas in the context of political corruption:

- the regulation of political finance
- the disclosure of money flows in politics and the enforcement of political finance laws
- elections – specifically vote buying
- the private sector – with a focus on the arms and oil sectors, and
- tackling the abuse of office – including reducing conflicts of interest, limiting recourse to immunity, pursuing extradition and repatriating stolen wealth.³¹

At this point, it is helpful to define terms for organizing the scholarly literature on party law. Let us call the objective of the legislation—e.g., the definition of party, party activities, or party organization—the legislative *target*. Accordingly, Plasser and Plasser inventoried party law that had campaign practices as the regulatory target. In contrast, the compilations of party laws conducted by Pinto-Dushinsky, USAID, and IDEA all targeted party finance. Party finance was also the prime target of Transparency International, but it also inventoried laws dealing with corrupt practices in politics. In fact, more cross-national inventories of party law have focused on party finance than on any other topic.

Let us use the term *origin* for the source of the regulations—whether they were promulgated in the constitution, in court law, in a legislative statute, in an executive order, or in an administrative rule. When Katz, Müller, and Avnon speak of party law they primarily are speaking of legislative statutes, which is the major source of party legislation in western European nations—with Germany the classic example.³² Other nations (like the United States) have nothing resembling a national party law. It is time to turn to my database of 1,101 party laws, which tags the *origin* and *target* of every entry.

³⁰ < <http://www.idea.int/parties/finance/db/index.cfm>>

³¹ Transparency International, *Global Corruption Report 2004* (Berlin, Germany, 2004), p 12. The report is available as a PDF file on the Internet at < <http://www.globalcorruptionreport.org/index.shtml>>.

³² *The Law on Political Parties* (Bonn: INTER NATIONES, 1994), p. 5.

A Database of Party Laws

For a study on party law supported by the National Democratic Institute for International Affairs in the United States, I created a database of 1,101 state regulations of political parties collected from 169 polities across the world.³³ These regulations were culled from some of the major empirical cross-national studies cited above; from national Party Laws, Electoral Laws, and Campaign Laws available on the Internet; and from national constitutions, virtually all of which have been translated into English since 1971 and can today be searched over the Internet.³⁴

One major limitation of my party law database is its reliance on English sources and sources translated into English. A second limitation is that the database is not representative—in the statistical sense of being a probabilistic sample. Laws came from whatever was handy—mainly books and sources on the Internet. Many more laws, perhaps thousands, remain to be included. Although my observations about how nations govern parties are based on a very large and diverse sample of party laws, it is a non-representative sample. Therefore, my observations below should be regarded as illustrative rather than definitive.

The database was constructed with the widely used commercial program, FileMaker Pro 8.³⁵ Each party regulation was entered into the database with information about its origin and target, and of course referencing the published or Internet source of the regulation. A sample entry is illustrated in Figure 2. Each of the boxes in the figure holds “pull-down” menus with a range of options that can be selected to match the information. Table 1 lists the full set of options hidden in each of the topical boxes below. Clicking on one of the boxes, selecting the term to be searched, and then conducting a “find” operation can query the database. The program will return the relevant hits through which one can scroll to read the regulations.

The National Democratic Institute has posted an online version of my party law database at <http://www.ndi.org/globalp/polparties/programsp/db.asp>. NDI instructs users as follows:

Click here to access the database. ** Username: guest / Password: welcome

In its present form, the database has few guides for users. One can do elementary queries by clicking on the magnifying glass at the upper left, which activates the menu windows and permits users to “find” laws according to key terms in the menus. The rest of the paper will discuss characteristics of the database and search results rather than search procedures.

³³ Kenneth Janda, “Adopting Party Law,” in *Political Parties and Democracy in Theoretical and Practical Perspectives* (Washington, DC: National Democratic Institute for International Affairs, 2005). The paper is available as the “party law” PDF file at <http://www.ndi.org/globalp/polparties/polparties.asp>.

³⁴ Albert P. Blaustein and Gisbert H. Flanz (eds.), *Constitutions of the Countries of the World* (Dobbs Ferry, N.Y., Oceana Publications, 1971). *Constitutions of Countries of the World Online* is at <http://www.oceanalaw.com/>, but there is a hefty fee to subscribe.

³⁵ This program runs on both Windows and Macintosh computers and can also be run from a server over the Internet. Unlike the Microsoft database, ACCESS, FileMaker Pro is user friendly, and one can create “buttons” to press to automate much of the searching. In addition, “run-time” versions of the database can be created for stand-alone usage by practitioners in the field who wish to review legal practices concern political parties



Figure 2: Format and Sample of an Entry in the Database of Party Laws

Table 1: Options Menus Underlying the Boxes in the Party Law FileMaker Pro Database

Origin	Parties	Groups	Elections	Campaigns	Candidates	Voters	Government
Constitution	Definition	Definition	Principles	Duration	Definition	Qualifications	Qualifications
Referendum	Legal status	Legal status	Method	Raising funds	Selection	Registration	Disqualifications
Legislative statute	Membership	Social basis	Timing	Spending funds	Deposits	Absentee	Organization
Court law	Organization	Organization	Ballot	Public subsidies	Activities		Jurisdiction
Executive order	Selecting candidates	Activities	Sanctions	Activities	Raising funds		
Parliamentary rule	Activities	Raising funds		Media	Spending funds		
Administrative rule	Public subsidies	Spending funds		Polling			
Unspecified	Party finance						
	Prohibited members						
	History						

Table 2: Distribution of Party Laws by Region of the World

<u>Region of the World</u>	<u>Count</u>	<u>Percent</u>
West European/Anglo-American	247	22.4
Latin America/Caribbean	188	17.1
Asia, Far East	154	14.0
Middle East	74	6.7
Africa	221	20.1
Central Europe/Ex Soviet	196	17.8
Oceana	<u>21</u>	<u>1.9</u>
Total	1101	100.0

^a Oceana refers to the island nations stretching from Asia's east coast to parts of the South Pacific in the western hemisphere. See Steven Levine and Nigel S. Roberts, "The Constitutional Structures and Electoral Systems of Pacific Island States," *Commonwealth & Comparative Politics*, 46 (November 2005), pp. 276-295. Whereas Levine and Roberts count Australia and New Zealand as Pacific Island States, my study places them in the "Anglo-American" category.

Table 2 reports the distribution of party laws by world regions. Table 3 provides an abbreviated list of all 169 polities—most of which are regarded as nations. The listing was built from the first eight characters of their names.

Table 3: Truncated alphabetical Listing of 169 Polities in the Party Law Database

Afghanis	Chile	Honduras	Malaysia	Rwanda	Turkmeni
Albania	China	Hungary	Maldives	S. Afric	Tuvalu
Algeria	Colombia	Iceland	Mali	Samoa	UAR
Andorra	Congo	India	Malta	Senegal	UK
Angola	Costa Ri	Indonesi	Mauritan	Seychell	US
Antigua/	Croatia	Iran	Mauritiu	Sierra L	Uganda
Argentina	Cyprus	Iraq	Mexico	Singapor	Ukraine
Armenia	Czech Re	Ireland	Moldova	Slovakia	Uruguay
Australi	Denmark	Israel	Mongolia	Slovenia	Uzbekist
Austria	Djibouti	Italy	Morocco	Somalia	Vanuatu
Azerbaij	Dominica	Ivory Co	Mozambiq	Somalila	Venezuel
Bahamas	Ecuador	Jamaica	Namibia	Spain	Vietnam
Banglade	Egypt	Japan	Nepal	Sri Lank	Yemen
Barbados	El Salva	Jordan	Netherla	St.Kitts	Zambia
Belarus	Estonia	Kazakhst	New Zeal	St.Lucia	Zimbabw
Belgium	Ethiopia	Kenya	Nicaragu	St.Vince	
Belize	Fiji Isl	Kiribati	Niger	Sudan	
Benin	Finland	Korea, N	Nigeria	Suriname	
Bolivia	France	Korea, S	Norway	Swazilan	
Bosnia/H	Gabon	Kyrgyz	Oman	Sweden	
Botswana	Gambia	Laos	Pakistan	Switzerl	
Brazil	Georgia	Latvia	Panama	Syria	
Bulgaria	Germany	Lebanon	Papua Ne	Taiwan	
Burkina	Ghana	Lesotho	Paraguay	Tajikist	
Burma	Greece	Liberia	Peru	Tanzania	
Burundi	Grenada	Liechten	Philippi	Thailand	
CAR	Guatemal	Lithuani	Poland	Togo	
Cambodia	Guinea	Luxembou	Portugal	Tonga	
Cameroon	Guinea-B	Macedoni	Qatar	Trinidad	
Canada	Guyana	Madagasc	Romania	Tunisia	
Chad	Haiti	Malawi	Russia	Turkey	